

FAO Lissa Rowan:

To Whom it may Concern:

Re: NOR LR /LR 225 Planning Application 18/01568 /aPP

Dear Lissa,

I wrote to inform the Planning department twice that I would be away until early August, but a letter arrived during my absence requiring my signature on July 23rd. It states that I have 14 days to reply. I arrived home on 31st July, so in effect I have had 6 days to respond.

It appears that I am being asked to address some of the same issues again, things I thought I had already explained. Here is my attempt to respond to the most recent objections.

Properties impacted by my house plan:

Neighbouring properties to my a plot are not all holiday homes, 2 households closer than 159a & 159c are permanent residences & the closest property & a 3rd at slightly greater distance, are permanently occupied, & supportive of my application.

However, I do, of course, appreciate that only house 159c faces directly across the lane onto my plot & I am willing to take note of the residents' views & concern here in writing & in personal conversation etc (see below)

PLOT SIZE:

As mentioned in my last letter, I was assured in 2014 that the plot size of 397sq.mtres would be considered favourably as sufficiently close to the 400 guideline for a small house development, if the house design was reduced / amended, which it has been.

The change, of which neither I nor my architect were notified of during the whole pre-application conversation with planners & design application process, requiring the parking area to be *in addition to* this 400sq.mtre guideline, seems to be unfairly imposed, not applied to every house build – my questions about this have not been responded to.

In general, if extended, this will only significantly negatively impact residents like myself on limited means, with growing or dividing families who wish to stay geographically connected & will unfairly privilege wealthy & retired residents / 2nd home investment owners planning to build 4 bedroom houses on large plots.

Findhorn & the whole of rural Moray has a large & growing proportion of these, forcing out the young & lower earners.

I would like to ask for some creative, forward-looking consideration of this in relation to my application, & for the original rule I was taking as a guideline to be considered as more realistic & environmentally appropriate here - for a design & garden which I believe could enhance this area of Findhorn when sensitively completed. The crucial *proportion of the house to plot size* is not excessive for this area, this small house fits

this plot size more harmoniously & spaciouly than many of the large houses crammed onto small plots now being built in the village & all over the peninsular. The over-development criterion applied to my small house away from the village centre, seems indefensible to me in the face of the recent developments, no. 110 & current proposals from Dunelands.

Re: PARKING:

There are some factual errors & misleading inferences in the complaints:

1. The area used for parking 1 family car from 1999 - 2012, then from late 2014 - Nov. 2018, & included in the parking area of the application, lies several metres WITHIN the border of the land purchased from ██████████ in 1999, as evidenced in the deeds & lies within the area of my plot now called Plot 1 @ Innesmhor.

To clarify, it is not an additional area *adjacent* to the plot – as implied by the wording of the complaint, (& the appearance of the partial deer-fenced area) which gives a misleading impression, implying some transgression into land belonging to 159a. It *is* in my plot. The complainant had never mentioned to us any ‘issues’ with our use of our land until my planning application was submitted.

The Fir tree also lies *within* this boundary too, on my land.

The old, unsightly shed also on this land at the edge of my plot is to be removed.

2. I have already clearly stated & emphasise again, I am a member of Moray Carshare & for the past 5+ years have not needed any regular, all day /overnight parking space since I use the many allocated village & Park areas where the Carshare cars are kept. I have barely used this parking space in recent years.

No one other than myself, & very **occasionally** (less than 1 x per fortnight) my mother or brother use my parking space *briefly* to drop off/ pick up. Only very rarely is a car parked there for longer while providing, for example, lawn mowing or, as recently, plumbing services. Other guests tend to arrive on foot, by bicycle, park on the main road & walk down, or, since ██████████ since 2018, now park elsewhere in the village to avoid encountering harassment, even though this is my land with legal access onto the lane.

Re Hammerhead style parking area:

The issue about no reversing in the lane is practically speaking, nonsense, as every resident must be aware, almost every household along the lane built pre-2003, has to reverse at some point, to some small degree, to enter/exit their property. The 2 joining lanes are extremely quiet, largely operate in a 1way fashion by convention, are very safe, & traffic is easily visible. There are no accidents & no sudden rise in traffic likely. For a small 1 person studio-style house to require an equivalent area dedicated to 2-car turning area is absurd in practice. Cars already easily reverse at an angle from my property, & need encroach on the lane by a couple of yards at most, with no impact on adjoining properties, no need to intrude on anyone else’s land or inflict grass damage.

The new parking area in my plan will improve & increase the parking area without an additional hammerhead turning area. However this might be possible if enforced.

My statement about the parking area being used as a patio/garden was to simply to convey that it could be hidden behind an attractive wooden gate & also function as a

small patio area, as it will mostly have no vehicle there, so there should be nothing unsightly for neighbours.

My plot is also immediately adjacent to a large passing bay, so in an emergency a vehicle could easily pull in to access the house & park temporarily. Also Innesmhor has a large parking & turning area to the north of the house & another to the North West. The lane is well served for places to safely pull in, reverse & turn as any observer could vouch for.

TREE FELLING:

I planted almost all of the trees on the plot which one neighbour seems most concerned about & I was going to trim some of them in height this year anyway. It is my intention to maintain my own visual privacy & the secluded, aesthetic character of the plot by continuing to plant smaller ornamental trees & flowering shrubs on the periphery & to preserve as many existing trees as possible.

I hope this reassures the neighbour somewhat.

My planned house is carefully positioned to necessitate only the removal / trimming of all or part of 1 willow tree which I planted as a single branch & possibly 3 smaller immature trees, with minimum impact beyond my garden & not visible from my neighbours' houses/gardens.

I believe none of this should dramatically inconvenience or impact my neighbours' views.

(However, I am surprised, as I have written before – that the wholesale removal of native flowers & herbs for paving & lawns & the installation of cruel gull spikes & other means to deter protected native birds from nesting, is ignored & unrestrained by planning law, yet the details of which trees I may or may not remove of those I planted on tree-less rough ground, is receiving so much attention & is something my neighbours are permitted to influence/dictate)

Is it the case that I cannot build if the space to do so might spoil my neighbour's view?

I was told that obstructed 'view' & access to daylight is not considered a valid ground for objection in this village, even in cases of severe illness where lack of vitamin D is a factor. And just a few yards up the adjoining lane a rich owner has blocked all ground-floor west light & view out from a small family cottage for almost 2 years with no restraint, exacerbating one resident's health problems.

There seems bias & discrimination in this whole process.

FENCING:

I am of course aware that deer-proof fence is not the most attractive form of fencing for a village property but it was arrived at as essential for creating a vegetable plot, as I have also written to explain before - & I continue to plant flowering greenery along it to cover the wire mesh.

I am undecided re fencing my plot, my preference is for 1 metre or higher traditional wooden picket fencing or plain wooden slats / screen with a simple, well-crafted wooden gate. I would welcome polite, co-operative suggestions and recommendations from neighbours.

VIEW OF BINS:

I would like neighbours to be assured that of course I do not wish for a bin-view either! & am perfectly capable of, & would, as a gardener & artist, be creating a discreet screen / location for all such necessities. I am also open for friendly conversations & design recommendations about what works well & looks good/bad from facing properties.

DESIGN STYLE/DETAILS

My original 2014 design had a more harmonious & attractive steeply-pitched roof & more closely resembled several other restored net stores and outhouses/ cottages by Coast to Coast architects throughout Findhorn Village - but I was told by the then planning officer that I must make my design *'look more like a shed'* in several extraordinary ways;

I was told to lower the roof pitch to match the gable angles of Innesmhor & The Whins, alter the outer windows etc all of which has been done for this application. So if now 'it looks like a shed' as my neighbour has complained to me, this was a design decision imposed on me, not at all my preference.

I do not have a personal issue about my neighbours' homes, & although frustrated by the objections, was not wishing to offend or create bad relations.

It is rather that I am seemingly being penalised by an unfair, biased policy.

I wish to clarify that the issue I have with 159a & 159c is simply that the decision as to what is appropriate for this area & what is not, seems somewhat ad hoc & dominated by these 2 most recently-built houses, neither of which fit very harmoniously in style or materials with what was in this area before or the rest of the nearby village. It is therefore relevant to also mention, given their owners' objections, that some conditions of the permission were overstepped by 159a, in height etc. None of us in this immediate area have made a prolonged issue of this, but it is galling to see what these neighbours are now objecting to regarding my application.

Both neighbours have expressed their understandable frustration & resentment re expensive, unnecessary design features forced on them, to align with the particular design type they had chosen, eg: dummy chimneys, & yet it is ludicrous to force, as they seem to suggest, similar criteria to apply to my design for a far smaller, humbler style of building of another era.

Re: Caravan

In my recent absence for work a complaint was lodged concerning the small touring caravan parked on my plot.

I completely understand fellow residents' anxieties about unsightly, static vehicles & temporary structures left to decay in a picturesque residential area, This is not what is happening here, so to clarify my previous letter about this:

No one is living on the plot at Innesmhor

The small office caravan was temporary, on-off, spill-over room space for our family during periods of work in the house & further clearing for estimates for upgrading insulation /heating system & other repairs & during April – May more for my late / night-early morning online working & sometimes subsequent sleep-overs since my

work includes mentoring & supervising overseas clinical practitioners & students in widely different time zones.

It was always intended to be removed as soon as planning decision was made.

The caravan has not been used at all since mid-late June & not since my arrival back. I do not believe from other residents that I need planning permission to park a small touring caravan temporarily on my plot. It is not a beautiful vehicle but I hope neighbours will be reassured it will be removed in the near future.

Re: Fire: Sprinkler system:

My house design is the minimum footprint allowed I believe &, except for Innesmhor, is located at more distance from other houses than 159c. I understand from my architect that the design adequately meets all building standards requirements in this respect.

I am of course willing to check this as soon as he is available, but as you have allowed me less than the usual formal 14 days to respond, please allow more time for this. Installation of a sprinkler system would be possible, though totally disproportionate, & should not jeopardise the plan.

I would appreciate acknowledgement of your receipt of this letter.

Thank you,

Beverley A'Court