



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100609913-006

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Erect car port

Has the work already been started and/ or completed? *

☒ No ☐ Yes - Started ☐ Yes – Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Plans Plus		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Colin	Building Name:	Plans Plus Offices
Last Name: *	Keir	Building Number:	
Telephone Number: *	01343 842635	Address 1 (Street): *	Main Street
Extension Number:		Address 2:	Urquhart
Mobile Number:		Town/City: *	By Elgin
Fax Number:		Country: *	Moray
		Postcode: *	IV30 8LG
Email Address: *	ctkplans@aol.com		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Graham	Building Number:	32
Last Name: *	Calder	Address 1 (Street): *	Muirfield Road
Company/Organisation		Address 2:	Elgin
Telephone Number: *		Town/City: *	Moray
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	IV30 6DE
Fax Number:			
Email Address: *	ctkplans@aol.com		

Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

32 MUIRFIELD ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ELGIN

Post Code:

IV30 6DE

Please identify/describe the location of the site or sites

Northing

861384

Easting

321839

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☐ Yes ☒ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

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

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Colin Keir

On behalf of: Mr Graham Calder

Date: 30/01/2024

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates?. * ☒ Yes ☐ No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * ☒ Yes ☐ No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * ☒ Yes ☐ No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. ☒ Yes ☐ No
- e) Have you provided a certificate of ownership? * ☒ Yes ☐ No
- f) Have you provided the fee payable under the Fees Regulations? * ☒ Yes ☐ No
- g) Have you provided any other plans as necessary? * ☒ Yes ☐ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- ☒ Existing and Proposed elevations.
- ☒ Existing and proposed floor plans.
- ☒ Cross sections.
- ☒ Site layout plan/Block plans (including access).
- ☒ Roof plan.
- ☐ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ☐ Yes ☒ No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ☒ Yes ☐ No

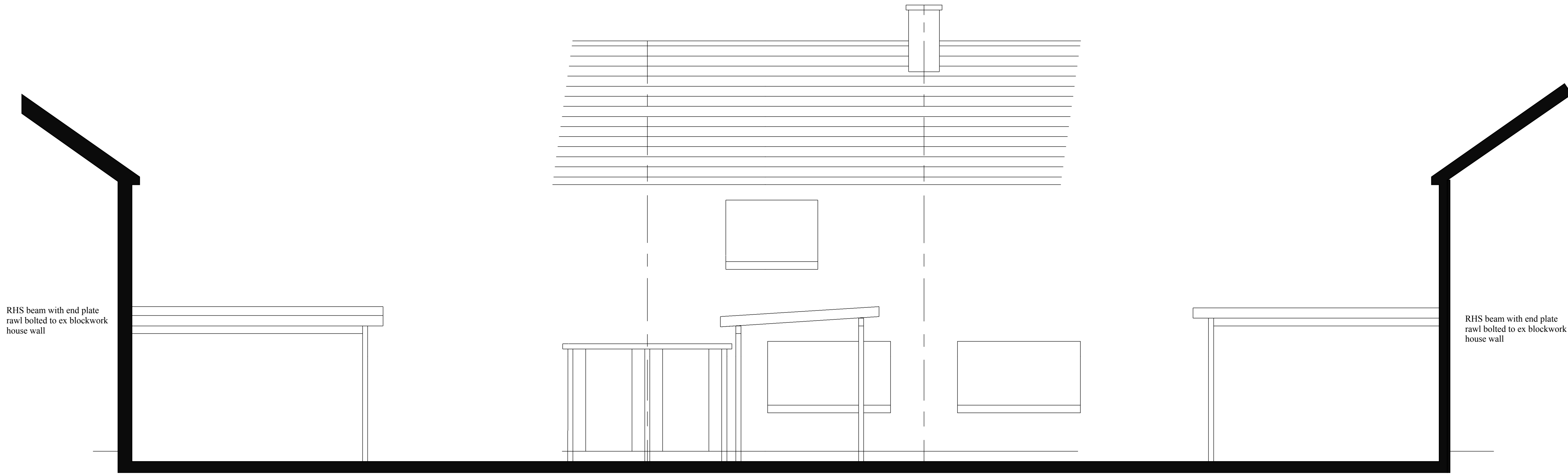
You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Colin Keir

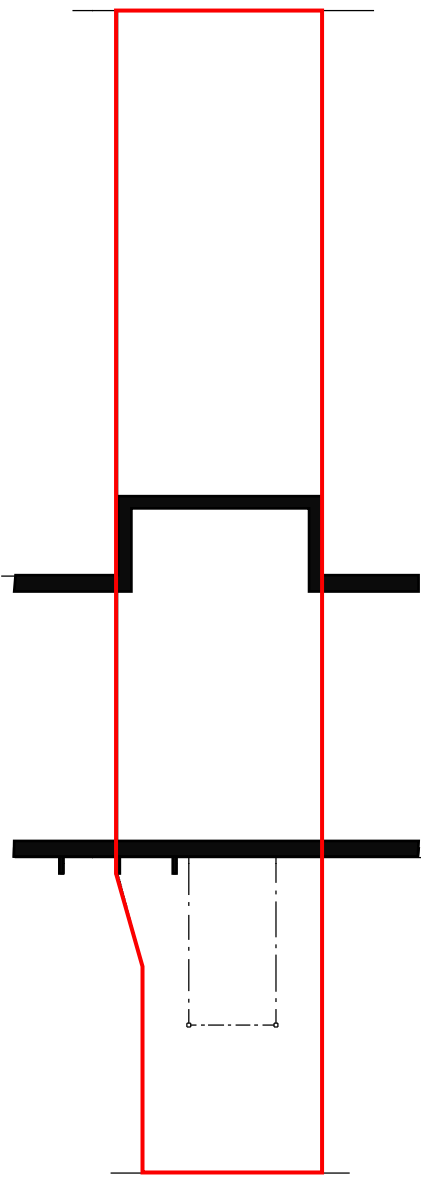
Declaration Date: 30/01/2024



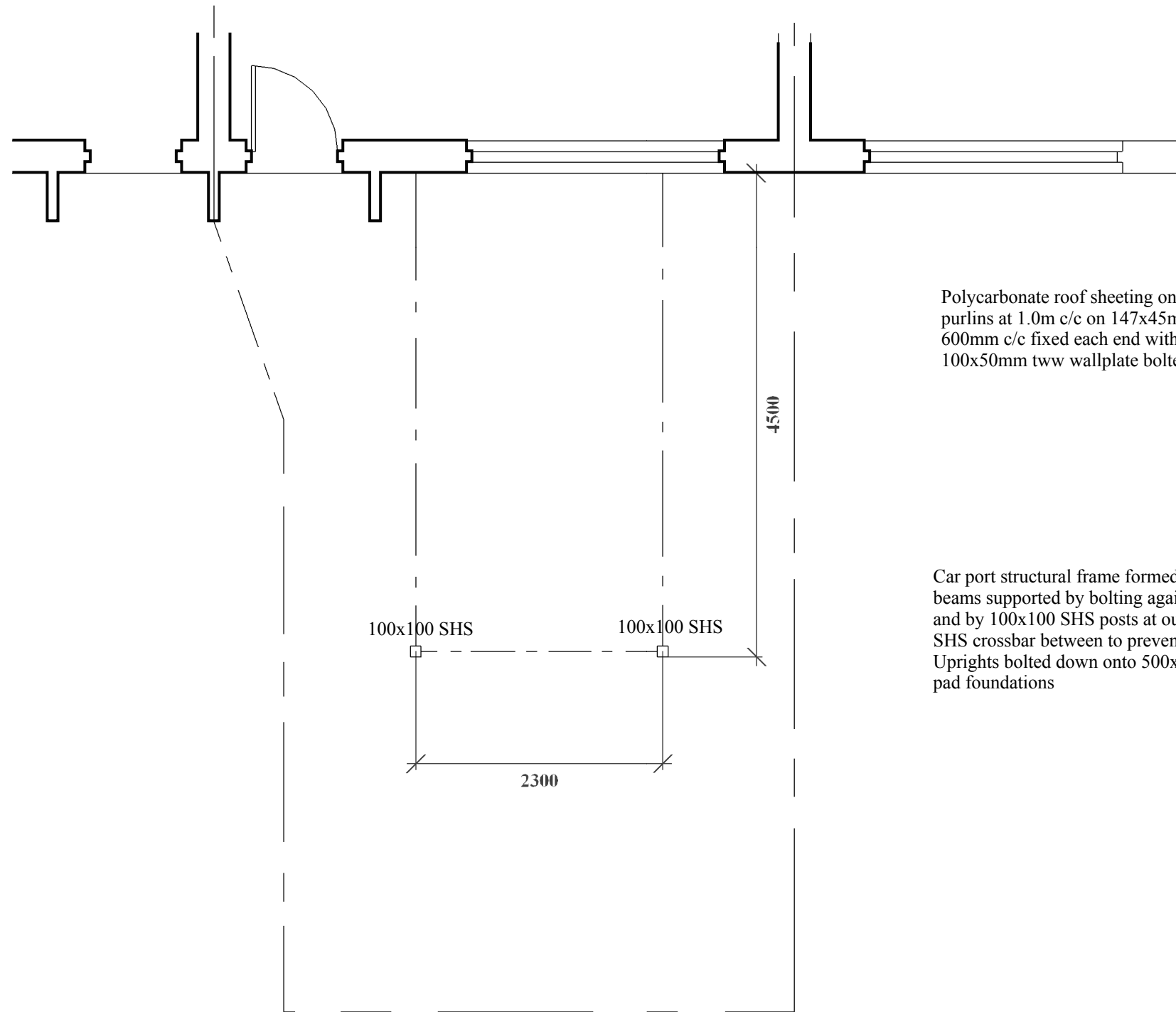
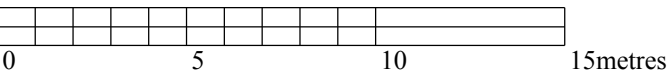
Side elevation 1:50

Front elevation 1:50

Side elevation 1:50



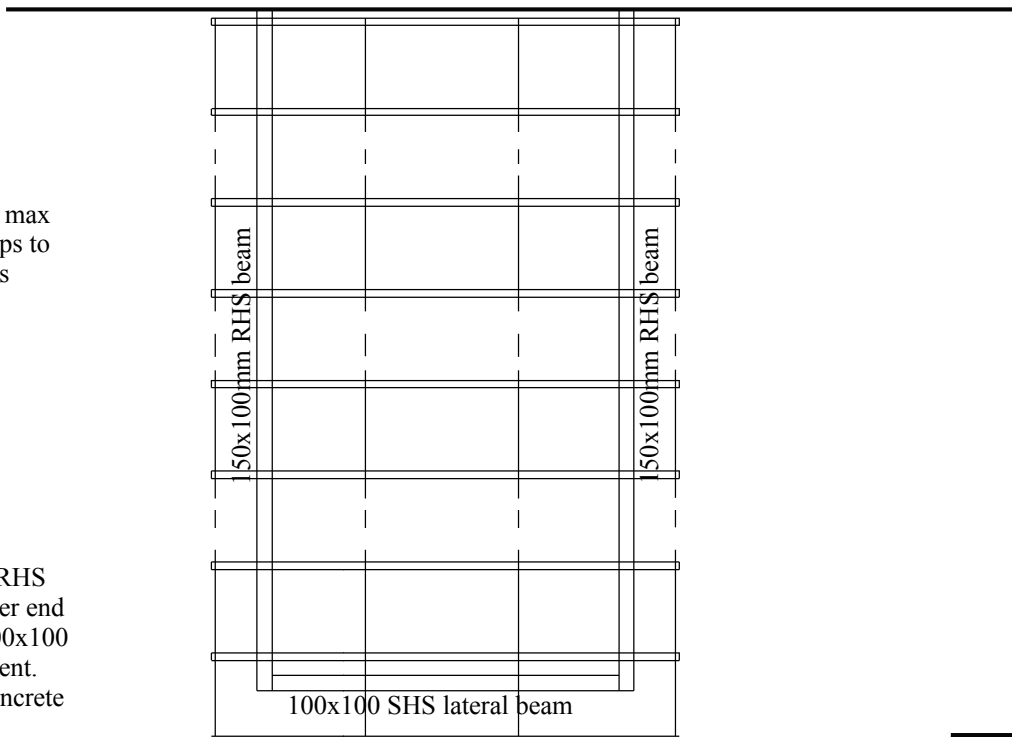
Site plan 1:200



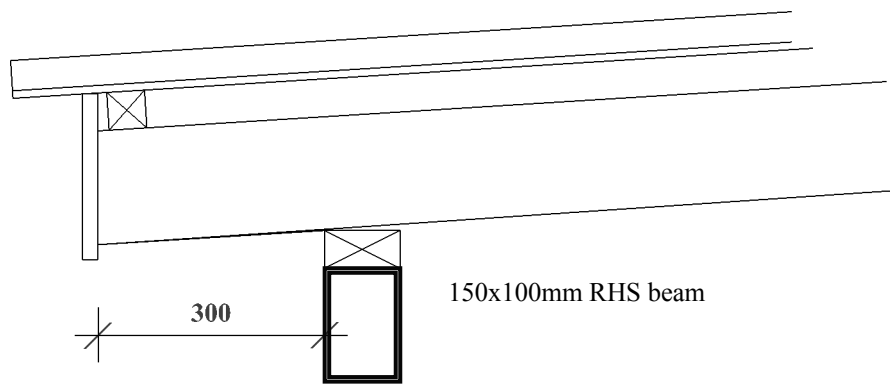
Floor plan 1:50

Polycarbonate roof sheeting on 50x50mm tww purlins at 1.0m c/c on 147x45mm tww joists at max 600mm c/c fixed each end with ms gal truss clips to 100x50mm tww wallplate bolted to RHS beams

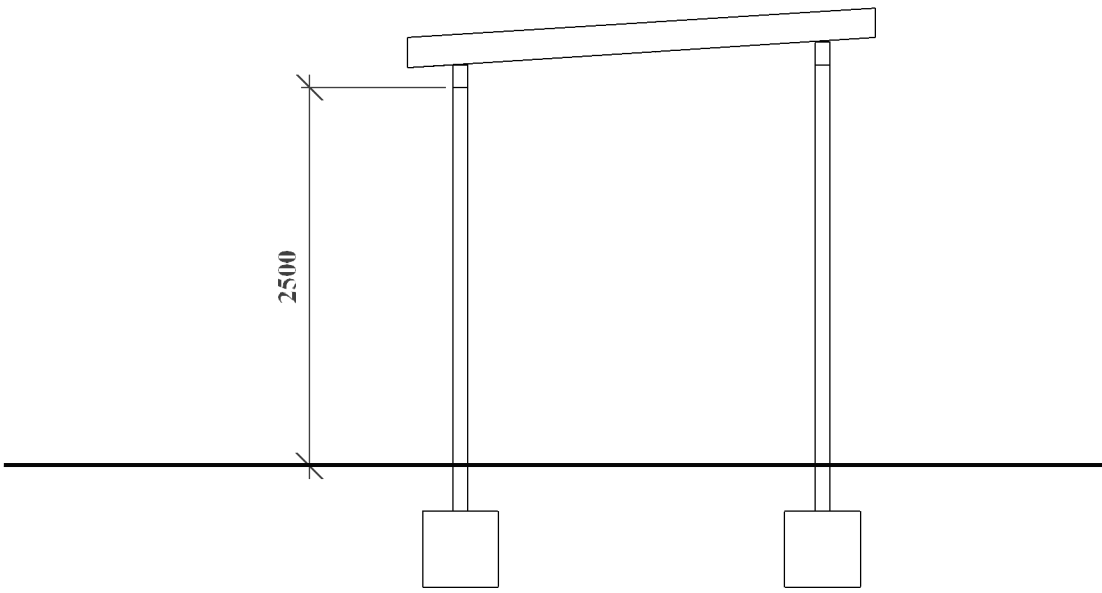
Car port structural frame formed with 150x100 RHS beams supported by bolting against house at inner end and by 100x100 SHS posts at outer end, with 100x100 SHS crossbar between to prevent lateral movement. Uprights bolted down onto 500x500x500mm concrete pad foundations



Roof plan 1:50



Eaves detail 1:10



Cross section 1:50



Location plan 1:2500

NO WORKS TO COMMENCE ON SITE UNTIL THE RELEVANT PLANNING, BUILDING WARRANT OR GRANT APPROVAL HAS BEEN OBTAINED

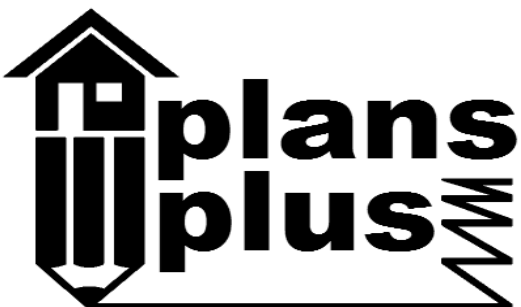
CONTRACTORS WILL HAVE DEEMED TO HAVE VISITED THE SITE TO FAMILIARIZE THEMSELVES WITH THE PROJECT PRIOR TO SUBMITTING ANY ESTIMATE FOR BUILDING WORKS

CROWN COPYRIGHT. ALL RIGHTS RESERVED
LICENSE NUMBER 100041145

ANY DEVIATIONS TO APPROVED PLANS TO BE REPORTED TO THIS OFFICE.
CONTRACTORS TO CHECK ALL DIMENSIONS ON SITE PRIOR TO COMMENCING BUILDING WORKS
GIVEN DIMENSIONS ONLY TO BE USED
DO NOT SCALE PLANS

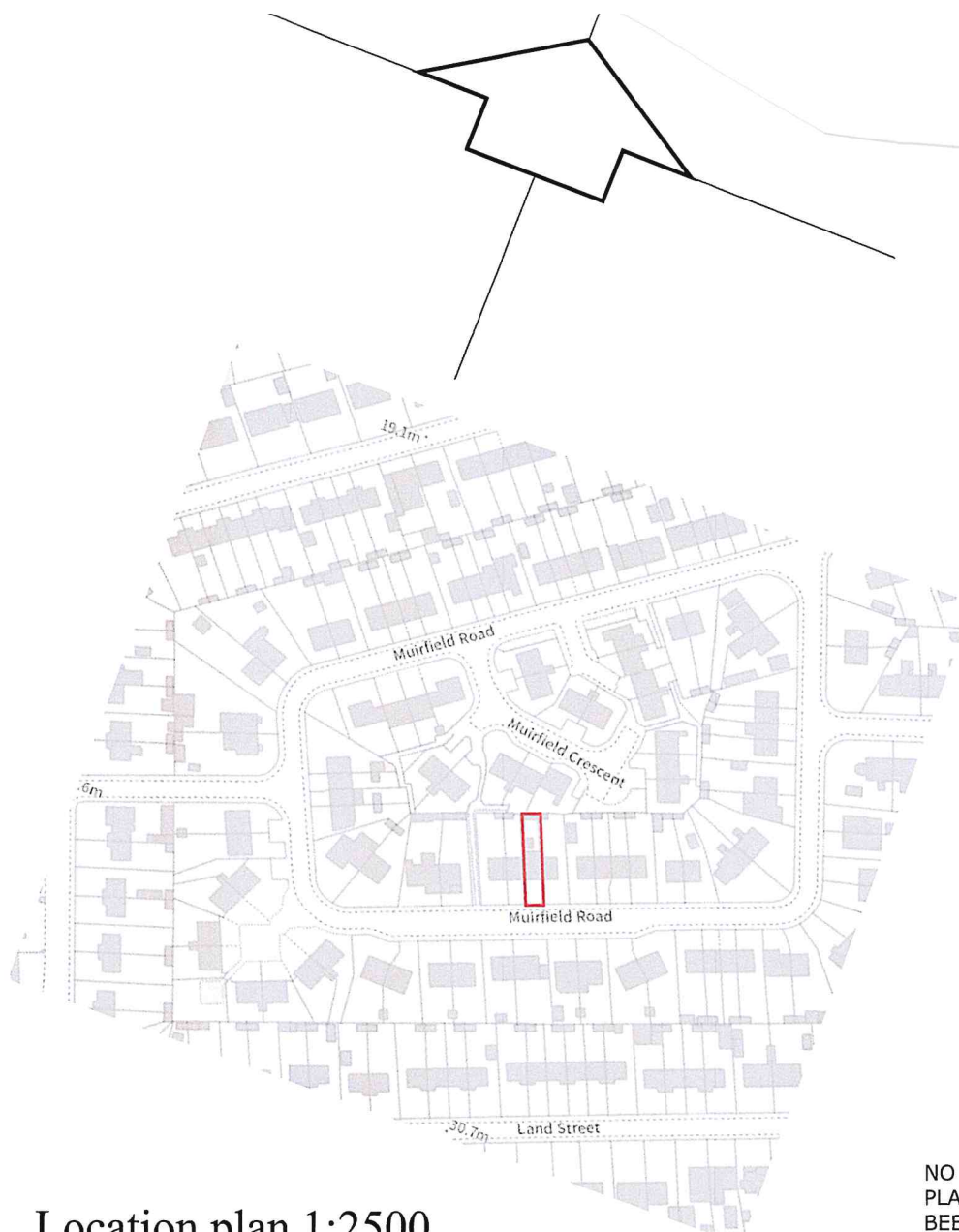
ANY ROOF TRUSS TYING INTO AN EXISTING ROOF TO BE CHECKED ON SITE BY CONTRACTOR TO ENSURE HEIGHTS MEET CORRECTLY

CLIENT	Mr G Calder	SCALE	1:50	DRAWN BY	IR	DATE	Dec 2023
PROJECT	Proposed car port at 32 Muirfield Road New Elgin, IV30 6DE					PROJECT No	22-04



ARCHITECTURAL
DESIGN CONSULTANTS
TEL No 01343 842635
MOBILE No 07766 315501
EMAIL ctkplans@aol.com
WEB www.plans-plus.co.uk
PARTNERS COLIN & CATRIONA KEIR

MAIN STREET OFFICES: URQUHART, BY ELGIN, IV30 8LG



Location plan 1:2500

NO WORKS TO COMMENCE ON SITE UNTIL THE RELEVANT PLANNING, BUILDING WARRANT OR GRANT APPROVAL HAS BEEN OBTAINED

CONTRACTORS WILL HAVE BEEN DEEMED TO HAVE VISITED THE SITE TO FAMILIARIZE THEMSELVES WITH THE PROJECT PRIOR TO SUBMITTING ANY ESTIMATE FOR BUILDING WORKS

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CLIENT Mr G Calder	SCALE 1:50	DRAWN BY IR	DATE Dec 2023
PROJECT Proposed car port at 32 Muirfield Road New Elgin, IV30 6DE			PROJECT No 22-04



**ARCHITECTURAL
DESIGN CONSULTANTS**

TEL No 01343 842635
MOBILE No 07766 315501
EMAIL ctkplans@aol.com
WEB www.plans-plus.co.uk
PARTNERS COLIN & CATRIONA KEIR

MAIN STREET OFFICES: URQUHART, BY ELGIN, IV30 8LG



design consultants

Phone: 01343 842635
Fax: 01343 842785
Mobile: 07766 315501
Email: ctkplans@aol.com
Web: <http://members.aol.com/ctkplans>

Main Street, Urquhart, Elgin, Moray, IV30 8LG

PLANNING DESIGN AND DRAINAGE STATEMENT

PROJECT :- ERECT CAR PORT AT 32 MUIRFIELD ROAD ELGIN.

PROJECT NUMBER 22-04

This is a re-application within one year of the original determination therefore no fee is payable. The car port has been moved back from its original free standing area and is now attached to the existing house. The car port is required due to the constant "bombing" of the seagulls requiring the applicant to wash his car every single day.

There are two 100x100mm posts and a clear roof proposed so as not to block out any light from the neighbours on either side of the application site.

There is no drainage proposed as the rain will simply run off the roof.



Consultee Comments for Planning Application 24/00160/APP

Application Summary

Application Number: 24/00160/APP

Address: 32 Muirfield Road Elgin Moray IV30 6DE

Proposal: Erect car port

Case Officer: Sheila Bernard

Consultee Details

Name: Mr CL Consultations

Address: Environmental Health, Council Offices, High Street Elgin, Moray IV30 1BX

Email: Not Available

On Behalf Of: Contaminated Land

Comments

Approved unconditionally - Adrian Muscutt

Consultation Request Notification

Planning Authority Name	Moray Council
Response Date	14th February 2024
Planning Authority Reference	24/00160/APP
Nature of Proposal (Description)	Erect car port
Site	32 Muirfield Road Elgin Moray IV30 6DE
Site Postcode	N/A
Site Gazetteer UPRN	000133028838
Proposal Location Easting	321839
Proposal Location Northing	861384
Area of application site (M²)	
Additional Comment	
Development Hierarchy Level	LOCAL
Supporting Documentation URL	https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=S8466NBGMQ500
Previous Application	22/01849/APP
Date of Consultation	31st January 2024
Is this a re-consultation of an existing application?	No
Applicant Name	Mr Graham Calder
Applicant Organisation Name	
Applicant Address	32 Muirfield Road Elgin Moray IV30 6DE
Agent Name	Plans Plus
Agent Organisation Name	Plans Plus
Agent Address	Main Street URQUHART By Elgin Moray IV30 8LG
Agent Phone Number	
Agent Email Address	N/A
Case Officer	Sheila Bernard
Case Officer Phone number	
Case Officer email address	sheila.bernard@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.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 24/00160/APP

Erect car port 32 Muirfield Road Elgin Moray IV30 6DE for Mr Graham Calder

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"/> |

This proposal is for the erection of a car port within the existing driveway of a property and would essentially provide a cover over the one existing car parking space. Although Transportation has no objections to the proposed car port it should be highlighted that the car port would appear to be too short to fully accommodate a vehicle, and likely resulting in part of the vehicle remaining outwith the covered area (but still within the driveway).

Further comment(s) to be passed to applicant

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

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.

Contact: AG

Date: 05 February 2024

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

Consultee: TRANSPORTATION

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://publicaccess.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.

Comments for Planning Application 24/00160/APP

Application Summary

Application Number: 24/00160/APP

Address: 32 Muirfield Road Elgin Moray IV30 6DE

Proposal: Erect car port

Case Officer: Sheila Bernard

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Drainage
- Height of proposed development
- Litter
- Loss of privacy (being overlooked)
- Noise
- Reduction of natural light
- Smell
- View affected

Comment: This Building will block out all light and any view from livingroom window from the joining property [REDACTED]

Also excess water cascading from building roof could be a problem into Garden at [REDACTED]
Muirfield road has a problem with seagulls nesting would this building invite more seagulls to nest creating a bigger noise and mess at my property.

This building will also look out of place on the whole street.

REPORT OF HANDLING

Ref No:	24/00160/APP	Officer:	Sheila Bernard
Proposal Description/ Address	Erect car port 32 Muirfield Road Elgin Moray IV30 6DE		
Date:	27.03.2024	Typist Initials:	LMC

RECOMMENDATION

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

CONSULTATIONS

Consultee	Date Returned	Summary of Response
Contaminated Land	01/02/24	No objections
Transportation Manager	05/02/24	No objections, informatives

DEVELOPMENT PLAN POLICY

Policies	Dep	Any Comments (or refer to Observations below)
NPF1 - Tackling the Climate	N	
NPF2 - Climate mitigation and adaptation	N	
NPF3 - Biodiversity	N	
NPF14 - Design, quality and place	Y	
NPF16 - Quality homes	Y	
NPF22 - Flood risk	N	
DP1 Development Principles	Y	
EP12 Management and Enhancement Water	N	

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
<p>Issue: Loss of natural daylight.</p> <p>Comments (PO): As the structure will have no walls, given its pushed back position it will have no detrimental impact on loss of daylight to either of the neighbouring properties.</p>
<p>Issue: Drainage.</p> <p>Comments (PO): Given that the proposed roof area is below 25sqm there is no requirement for a drainage statement and the drainage will be dealt with by the existing drainage system.</p>
<p>Issue: Loss of privacy(overlooking).</p> <p>Comments (PO): There will be no aspect of overlooking from the development.</p>
<p>Issue: Noise, smell, litter (seagulls).</p> <p>Comments (PO): The objector has commented that the area has an issue with seagulls and worried about an increase in noise, smell, and litter from this due to the increase in roofspace. While we will make every effort to ensure new development does not cause these issues, unfortunately seagulls are not necessarily able to be controlled through the planning system.</p>
<p>Issue: Affecting natural environment, out of place within the street.</p> <p>Comments (PO): The proposal will look out of place within the street and will be an incongruous feature, given that there are no other mid terrace car ports within the surrounding area. The proposal is contrary to NPF4 and MLDP Planning Policy as set out in the report below.</p>

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Policy

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the development plan, namely the adopted National Planning Framework 4 (NPF) and adopted Moray Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

The main planning issues are considered below:

Proposal

The proposal is for the construction of a car port within the front garden grounds of the property at 32 Muirfield Road in Elgin.

The proposed car port will extend from the principal elevation by approximately 5m x 3m in width. The car port will be attached to the exterior of the property and will be constructed with timber beams in each corner with no walls and a clear polycarbonate roof. The roof will be mono pitched and will measure 2.8m high at the eaves of the highest side.

Site

The site is located within the front garden grounds of the mid terrace property at 32 Muirfield Road

In Elgin. There are neighbouring properties to either side and to the rear. The property is bound by the public road to the south-east.

Siting and Design (NPF4 Policy 14; MLDP Policy DP1)

NPF4 Policy 14 Design Quality and Place seek to promote, encourage and facilitate well designed development.

NPF4 Policy 16 Quality Homes and MLDP Policy DP1 requires that the scale, density, and character of all development be appropriate to the surrounding area, be integrated into the surrounding landscape and not adversely impact upon neighbouring properties in terms of privacy, daylight or overbearing loss of amenity.

The proposals as described above would be the only car port sited to the front of the building line of the surrounding area, which is characterised by terraced properties. There are other car ports within the surrounding area, but these are typically designed as a lean-to style on the side elevation of their properties. There are no other structures, be it carports, garages or sheds to the front of houses in the surrounding area. As a result, the proposed car port would be out of place, disrupting this established pattern of development and would be an incongruous feature detrimental to the character of the surrounding area, which is characterised by open front gardens.

The design and positioning would ensure that there would be no unreasonable adverse impact on the loss of daylight to any neighbouring properties. Given its use as a car parking area there will be no impact on neighbouring properties in regard to privacy or overlooking. Therefore, in regard to neighbouring amenity the proposals comply with NPF4 Policy 16 and MLDP Policy DP1.

However, this is separate from and does not override the unacceptable siting impact of the development as contrary to the requirements of NPF4 Policy 14, 16 and MLDP Policy DP1.

Tackling Climate Crisis (NPF4 Policy 1, 2 and 3)

The proposal is for a small-scale development on an already-developed site and would have minimal impacts on the climate crisis. As such, the NPF4 Policies 1 Tackling the Climate and Nature Crisis and 2 Climate Mitigation and Adaptation do not hold significant consideration for this application. Notwithstanding NPF4 Policy 3 Biodiversity, biodiversity enhancement would not be commensurate with the scale of this development in this location so the proposal would not deviate from this policy.

Drainage and Flood Risk (NPF4 Policy 22 and MLDP DP1, EP12)

NPF Policy 22, MLDP Policy EP12 and supplementary guidance on flooding/drainage require an extension of 25sqm and over be submitted with a drainage impact assessment to ensure that surface water drainage is dealt with in a sustainable manner. As the proposed car port is significantly smaller than 25sqm there is no requirement for a drainage impact assessment.

As such the proposals comply with NPF4 Policy 22 and MLDP DP1 and EP12. This is separate from and does not override the unacceptable siting impact of the development as contrary to the requirements of NPF4 Policy 14, 16 and MLDP Policy DP1.

Access/Parking (NPF4 Policy 13 and MLDP Policy DP1(iii))

NPF4 Policy 13 and MLDP Policy DP1(iii) requires that all development should provide a safe and adequate access, visibility splays, as well as sufficient parking and turning. The Transport Manager was consulted and although had no objections to the proposal, commented that the car port appears to be too short to fully cover a vehicle.

As such the proposals comply with NPF4 Policy 13 and MLDP Policy DP1 ((iii)). This is separate from and does not override the unacceptable siting impact of the development as contrary to the requirements of NPF4 Policy 14, 16 and MLDP Policy DP1.

Recommendation

It is recommended that this application be refused.

OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT

None

HISTORY

Reference No.	Description			
22/01849/APP	Erect free standing car port 32 Muirfield Road Elgin Moray IV30 6DE			
	Decision	Refuse	Date Of Decision	08/03/23

ADVERT

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

DEVELOPER CONTRIBUTIONS (PGU)

Status	N/A
---------------	-----

DOCUMENTS, ASSESSMENTS etc. *

** Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc*

Supporting information submitted with application?		NO
Summary of main issues raised in each statement/assessment/report		
Document Name:		
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)			

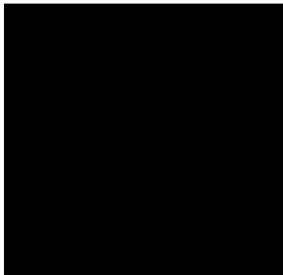


MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended

REFUSAL OF PLANNING PERMISSION

[Elgin City South]
Application for Planning Permission

TO



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 car port 32 Muirfield Road Elgin Moray IV30 6DE

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

Date of Notice: **28 March 2024**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
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 proposed car port does not comply with the National Planning Framework 4 Policy 14 - Design, Quality & Place and Policy 16 - Quality Homes as well as Moray Local Development Plan Policy DP1 - Development Principles as it would create an incongruous feature on the principal elevation of a mid-terrace house in an area where there are no buildings/structures that sit to the front of houses. The proposal therefore would appear out of place and be detrimental to the established character of the surrounding area.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

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

Reference	Version	Title
22-04		Elevations and site plan
22-04		Location 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.