



LOCAL REVIEW BOARD APPEAL STATEMENT TO ACCOMPANY MORAY COUNCIL PLANNING  
APPLICATION 11/01011/APP – ALTER AND EXTEND CAIRNHILL COTTAGE, KNOCK, KEITH, MORAY FOR  
MR RICHARD WILSON

October 2011

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**LOCAL REVIEW BOARD APPEAL STATEMENT TO ACCOMPANY MORAY COUNCIL PLANNING APPLICATION 11/01011/APP – ALTER AND EXTEND CAIRNHILL COTTAGE, KNOCK, KEITH, MORAY FOR MR RICHARD WILSON**

Our Reference:	110047/WILSON/mjh
Local Authority:	The Moray Council
Council Planning Application Ref:	11/01011/APP
Application Proposal:	Alter and Extend Existing Dwellinghouse
Site Address:	Cairnhill Cottage, Knock, Keith, Moray
Appellant:	Mr Richard Wilson
Date Application Validated:	27 <sup>th</sup> June 2011
Council Decision Notice Date: (Appendix CMD001)	22 <sup>nd</sup> August 2011
Reason for Refusal:	The size and design of the flat roof extension to the rear of the property would be unsympathetic to and detract from the character and appearance of the dwellinghouse.
Application Drawings & Supporting Documents:	110047.WILSON.PB04 – Appendix CMD002 110047.WILSON.PB05 – Appendix CMD003
Primary Development Plan Policies:	Moray Structure Plan Policy – 2(f) Moray Local Plan Policy – H5: House Alterations and Extensions Moray Local Plan Policy – IMP1: Developer Requirements
Relevant Supplementary Planning Policy:	None

## LIST OF DOCUMENTS

CMD001	Council Decision Notice dated 22 <sup>nd</sup> August 2011
CMD002	110047.WILSON.PB04
CMD003	110047.WILSON.PB05
CMD004	Moray Structure Plan Policy – 2(f)
CMD005	Moray Local Plan Policy – H5: House Alterations and Extensions
CMD006	Moray Local Plan Policy – IMP1: Developer Requirements
CMD007	Photo 1. Appeal Site from the A95 looking south
	Photo 2. Appeal Site from the A95 looking north

1. The above detailed planning application was submitted to the Moray Council for planning approval on 27<sup>th</sup> June 2011. Regrettably, following consideration the application was refused by the Appointed Officer (thereafter called 'the Officer') on 22<sup>nd</sup> August 2011 for the single reason outlined above.

2. Following due consideration, our client (thereafter called 'the appellant') has instructed us to appeal the Officer's decision to the Council Local Review Board and the following statement prepared by CM Design Chartered Architect and Planning Consultants (thereafter called 'the agent'), outlines the reasons why the appellant considers this Planning Review conforms to Council policy and should therefore be supported.

3. The decision notice states that the size and design of this proposed extension is unacceptable as the design is unsympathetic to and will detract from the character of the existing dwellinghouse and surrounding area. However, the appellant contends that this appeal will have no detrimental impact on the character of his existing house and locality for the following reasons:

4. The existing house was historically a small two up and two down, stone and slate cottage commonly found within the rural areas of Moray. However, in the late 1970's the then present owner, erected a two storey 'mansard roofed' extension to the rear of the property, this extension remains today and is what we are now proposing to enlarge.

5. Therefore, as this mansard roof extension has been an integral part of this property for well over 30 years, the appellant would contend that the character of his property and also the wider area includes a mansard roofed extension to the rear of his property. Consequently, he fails to comprehend how an enlarged version of this existing mansard roofed extension is unacceptable and would now compromise the character of his property and the wider area.

6. Moreover, the application site itself is a large rectangular shaped plot extending to approximately 3400sq.mm, with the existing dwellinghouse being sited to front the Public Road (A95) approximately 2/3

along the plot length. The site is bounded to the north by a recently constructed (during 2004) new house; this house is sited closer to the road than the appeal property and effectively screens the rear of the appeal property from southbound traffic using the A95 (shown in Photo 1. CMD007).

7. To the south of the house, existing outbuildings, the raising landform and existing mature planting (shown in Photo 2. CMD007), again effectively screens the proposed extension from northbound users of the public road.

8. Corollary, as the location of the proposed extension is sited to the rear of the dwellinghouse, the appellant would assert that his extension would not be readily visible from the public road and, as such, will have little or no impact on the appearance or character of the area.

9. The extension would also be effectively screened from the new houses higher up the slope, by the contours of the ground and the sloping nature of the site. Therefore, contrary to the Officer's assertion, the appellant would strongly assert that his proposal would not be a visible feature in this landscape and therefore, can not be considered to detract from the character of the area.

10. The character of this once traditional cottage has been already further eroded with the erection of box dormer windows on either side of the existing mansard roofed extension. The appellant believes that as this proposal will remove these flat roofed dormer window arrangements and replace them with a more traditional slated 'mansard roof' extension, more of the original character will be preserved/reinstated, as for the occasionally onlooker the mansard roofed extension will appear to be a more traditionally slate roof extension, rather than a bulky box dormer window.

11. With regards to the design of the extension, whilst not the most common form of domestic extensions, mansard roofs are still fairly evident across both the urban and rural areas of Moray and therefore not be considered to be wholly inappropriate to the Council. In this instance as the impact on the existing

character of the building is not adversely affected and the extension is hidden from view, it is considered that the design of the extension conforms to Moray Local Plan Policy H8.

12. Finally the appellant notes that the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 was laid before the Scottish Parliament on 14th October 2011 and it was agreed that the amendments to householder permitted development rights outlined in this Order will come into force on 6<sup>th</sup> February 2012.

13. After the 6<sup>th</sup> February 2012, the appellant proposal will be considered as 'permitted development' thus completely removing the need obtain planning approval for this project. As such, the appellant considers it would be unreasonable for the Local Review Board to dismiss his appeal at this time and in this instance.

13. In concluding, the above statement has demonstrated that the design of this extension, is not unsympathetic to or detracts from the character and appearance of the dwellinghouse and instead will continue the look of the existing house. As such; the appellant respectfully asks for this appeal to be duly permitted and we therefore look forward to the Local Review Board considering this Review.