



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

**REFUSAL OF PLANNING PERMISSION**

**[Fochabers Lhanbryde]  
Planning Permission in Principle**

TO      Mr and Mrs I Lambart  
         c/o Future Plans Ltd  
         The Barnyard Studios  
         South Road  
         Garmouth  
         Fochabers  
         Moray  
         IV32 7LX

With reference to your application for planning permission in principle 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:-

**One and a half storey extension at Southview The Wyndies Garmouth Fochabers**

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

Date of Notice:                      **20th March 2013**

**HEAD OF DEVELOPMENT SERVICES**

Environmental Services Department  
The 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, the Moray Council has REFUSED this proposal. The Councils reason(s) for this decision are as follows: -

The proposed development is contrary to the policies BE3: Conservation Areas, H5: House Extensions and IMP1: development Requirements in that:

1. The proposed extension fails to meet the requirements of the policies in terms of scale and character of the development in relation to those of the existing single storey traditionally proportioned cottage and the character of the Conservation Area.
2. The style, scale and proportions of the new extension fails to respect those of the existing cottage which results in a clumsy extension which fails to visually link with and respect the cottage. The conflict between the scale, proportions and gable width of the proposed extension in relation to those of the existing cottage will result in an unacceptable development which fails to preserve or enhance the appearance and character of the Conservation Area..
3. Despite being located to the rear of the property the bulky extension will dominate when viewed against the existing cottage. The development will result in an extension looking excessively large and over-dominant of the cottage in terms of wallhead and ridge heights, an excessively wide gable in relation to that of the cottage and a poor visually weak link between the new and the original structures.

**LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT**

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

Reference	Version	Title
1		Location Plan, 3D Views and Photographs
2		Site Plan

**DETAILS OF ANY VARIATION MADE TO ORIGINAL PROPOSAL,  
AS AGREED WITH APPLICANT (S.32A of 1997 ACT)**

None.

**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, The 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](http://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.