

TMC
Mailroom
29 AUG 2014

The Moray Council
Development Services
Environmental Services Dept
High Street
Elgin

27th August 2014

For the attention of Mr D Westmacott

Dear Sirs

Subject – Application Planning Permission in principle for new dwellinghouse within garden of 7 King Street, Elgin

Further to our application to the Local Review Body (LRB) and receipt of 3 letter of representation, we respond as follows:-

Mr M Emeny

There is no address to this letter, therefore unfortunately we have no way of discussing the quote about views from their garden, which is very unfortunate.

If this is ■ King Street, then this does not share a common boundary and would have no issues due to the orientation of the property with the sun rise / fall.

The second section of the first paragraph does not have any substance to Planning Law and therefore has no basis of further discussion.

The previous approval examples as per our LRB submission should be noted as approved by this committee and via the Planning Section

Mrs I Innes

There is no address to this letter, therefore unfortunately we have no way of discussing the quote about views from their garden, which is very unfortunate.

If this is ■ King Street, then part of the garden is blocked by a garage built on the boundary and would have no issues due to the orientation of the property with the sun rise / fall.

The previous approval examples as per our LRB submission should be noted as approved by this committee and via the Planning Section.

There is a shortage of new housing and this can be noted upon the Council planning department Housing Land Supply and that of the number of new houses that are required to be built every year, which at this moment in time is not being achieved.

Audrey Graham

Point 1)

The main point with our submission of this approval is that in terms of Council policy (plot subdivision and backland development) is exactly the same with no difference.

In terms of street parking there is a presumption that all new housing will have in curtilage parking and therefore remove this point of representation. In fact the officer handling report states that we are in compliance with Policy T2 & T5

As noted no objection from Transportation Manager and this proposal will have no greater affect to the existing mechanics of King Street, nor any greater congestion as suggested without real substance.

There is an existing drive and as such can be utilised at any point

The main comments relating parking etc have no substance to Planning Law and therefore has no basis of further discussion or to be taken into account.

Point 2)

In terms of privacy, no house designs are part of this application and therefore all future windows could be located away from boundaries, the future garden will have no greater issues as that exist at present.

We note same statement as above, that we are in compliance with Policy T2 & T5

Point 3)

We refer to you to Application 11/00460/APP has since been approved via the LRB which has now set the Planning Authority basis for similar type application and a precedent has been set.

This application noted a particular document " Planning Circular 4/2009 " Development Management " and in particular Annex A relating "Defining a Material Consideration " section 3.9 of the LRB report which indicates the Moray Council position of these type of developments.

We would therefore request that this planning approval and Circular document is taken into consideration, which a copy is attached as Appendix B-

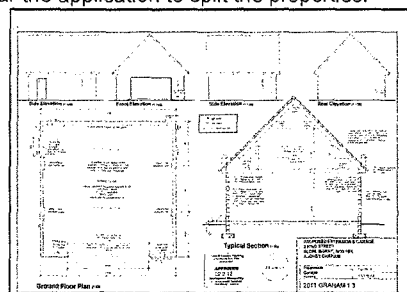
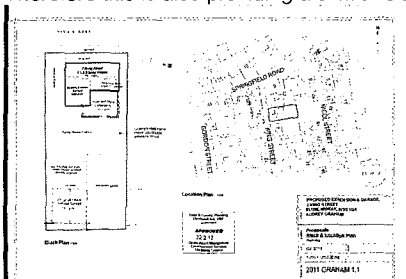
Point 4)

The reasons for the other examples explain the character of the area and that our proposal is in keeping with surrounding streets.

As a further substance the property at ■ King Street (Audrey Graham) has planning consent for a double garage adjacent to our boundary

The garage is 7m x 7m with attic trusses. This structure could be easily converted in the future as ancillary accommodation due to the size of the building.

Therefore this is also providing a similar situation as our proposals bar the application to split the properties.



We refer to our supporting statement submitted with the LRB application which outlines are case

On this basis we feel that there is sufficient justification to support this application for approval and hope that the LRB over turn the Officer recommendation

Yours sincerely,

A large black rectangular redaction box covering the signature of Mr & Mrs S Sim.

Mr & Mrs S Sim

A black rectangular redaction box covering the contact information of Mr & Mrs S Sim.