

9th December 2014

Dear Mr Westmacott,

Review of planning application ref:14/99517/APP - Cottage at Oldmills
Watermill, Oldmills Road, Elgin

Thank-you for your letter of 26th November confirming that this planning application will be reviewed by the Council's Local Review Body.

I would like to take this opportunity to summarise the reasons for my objection to the application which were detailed in my letter of the 28th May 2014 :-

1. The application is a departure from the Local Plan and does not comply with policy H3.
2. The development will have an adverse impact on the natural environment of this green corridor and is contrary to policies E2 and ENV6.
3. The development will be within the curtilage of a B listed building and will have an adverse impact on the character, integrity and setting of the Mill and other listed buildings.
4. The development will increase the flood risk to my house and others at Oldmills due to water displacement. There has been no flood risk assessment provided. This is contrary to planning requirements.
5. Foul water drainage will cause pollution. The application does not show how the foul water will be dealt with.
6. No development impact assessments have been provided.
7. This development is not supported by existing services and infrastructure.
8. Safety at an already dangerous junction will be further compromised.
9. The overall amenity of the area will be adversely affected.

In addition, my observations on the applicant's grounds for review are as follows:-

1. In section 5 of the Notice of Review, the applicant has stated that a hearing is necessary because the development is "urgently needed to safeguard Scotland's heritage".

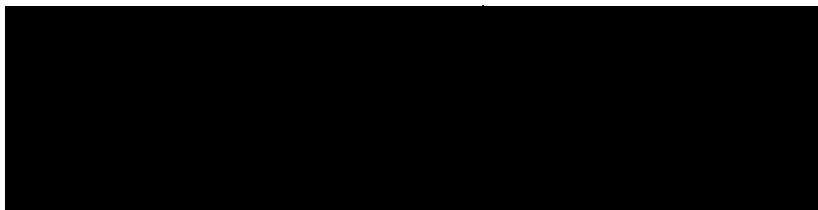
This is not a planning consideration. Over the past decade, the applicant has disregarded the enforcement notices issued by the Council as a result of his neglect and dumping on the site, and ignored his legal obligations as the owner of a listed building. Given the applicant's proven record of irresponsible behaviour as owner of this property (and at least one other in Moray) I have no confidence in his ability or willingness to comply with any planning conditions or building regulations when it comes to any new development within his control.

The erection of a house will not remedy this situation and the applicant is relying on his own neglect to justify this application. If permitted, the house is likely to be similarly neglected which will damage the amenity of the area and my property, compromise safety and ultimately be a burden on the public purse.

2. In section 8, the applicant has put forward that there have always been houses on the mill site and has provided a map. This map is historic and the blocks shown on it marked "3 cottages" and "2 cottages" are not on the mill site but formed part of Oldmills Farm. These buildings were demolished decades ago and the land they were on is not owned by the applicant but by the family who still own what was Oldmills Farm. The building shown to be where the development is planned is too small to be a house and is also no longer there. There have been no inhabited houses on the mill (or adjacent Oldmills Farm) sites within living memory.

I would be most grateful if the Review Body could take my comments and observations into consideration as part of the review process.

Yours sincerely,

A large black rectangular redaction box covering the signature area of the letter.

Kathryn Macpherson