

Supporting Statement regarding my appeal for a change of use of land and erection of a boundary fence at 80 Mannachie Grove, Forres, IV36 2WG

As I am sure you are aware, I have previously successfully been approved for a change of use for a portion of land at the rear of my property, which was purchased part and part from Moray Council and Springfield Properties. To my knowledge there have also been at least three other approved applications, by other parties for such a change of use in this area.

The land mentioned was purchased from Springfield Properties in 2006 and registered with the land registers of Scotland on 07/06/2006, Reference MOR5641 and it was my understanding that change of use for a garden would not be an issue. Moray Council had offered me the option to extend my west boundary fence to number 66 Mannachie Grove, which would have had the same impact of restricting access as my current request, a condition of the disposal of ground sale was and I quote : "The purchaser shall be required to enclose the area with a wall/fence to a height and standard acceptable to the Council and maintain such in good state of repair "but as this encompassed a far greater area, I declined this offer due to land cost constraints.

Since this period I have been maintaining the grassed area by regularly mowing as I am the responsible legal owner of the land in question and am duty bound to do so, therefore the planned change of usage does not impact any other third parties as it serves no amenity purpose other than a grassed area at present. Indeed enclosing this area would benefit the residents of the Cul-de-sac at the rear as it would enhance their privacy and security .My intentions are to erect the boundary fence to designate the area of land as my property and to continue to use and maintain it as a grassed area with the addition of potentially planting some small trees and shrubs should my appeal be successful.

Should this appeal be unsuccessful however, then unfortunately I feel, it would leave me no option but to pursue a requirement that the land is purchased from me by 'The Moray Council 'in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997, as this restriction would serve me with no beneficial purpose for owning, being legally responsible and maintaining this area for my intended reasons, as it would be out with my control. I was led to believe there would be no restrictions as per preceding successful applications and as such I would regard a decision against, as a change of policy from previous decisions made at the time of my land purchase and information presented to me by Moray Council at the time, who were encouraging me to buy a larger piece of land with the condition of planning approval being in place.

Regards

Mark Thompson