

Lissa Rowan

From: Donald Canavan <dona!dcanavan@hurdrolland.co.uk>
Sent: 19 July 2021 12:10
To: Lissa Rowan
Cc: Beverly Smith; Suzanne McIntosh; jacquipc@icloud.com; Lorna Creswell
Subject: Notice of Review: Planning Application 21/00272/APP – Change of use and alterations to boat-shed to provide a hut for occasional overnight stays at site adjacent to 212A Findhorn, Moray REF LR/LR260

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Dear Lissa,

Thank you for sending me the redacted representation received while I was on leave. I advised that I wished to respond to this, and now respond as follows:

The email refers primarily to the '*wider implications for Findhorn village, Moray indeed all Scotland*' of raising the roof of a wooden boatshed by 85cm.

I am sure I do not need to draw more attention to the ridiculousness of this statement than it already draws to itself.

The implication which follows is that I have somehow changed the application. This is incorrect and misleading. My only change was to propose a modification to the roof form to ensure that the kitchen windows of the property owned by Mr Frank van Beuren received greater privacy and more northlight than it currently does (notwithstanding it had been built up to my boatshed, not the other way round). It is my view that this offers an improvement from current circumstances, which should be welcomed.

The references to my use of my building being '*responsible*' or otherwise I am unclear of, in respect of planning policy.

Likewise the objector's reference to the possible future use of the property. The same could naturally be said of the future use of his property, and the potential for it to represent a nuisance to neighbours including myself. Changes of use of either property in the future would of course be subject to the requirement for planning consent, so this is not currently a material consideration in determination of this appeal.

The final point made is that this '*remains an application for change of use to residential*'.

As made clear in the drawings and in the accompanying planning statement, this is evidently not an application for change of use to residential.

It proposes facilities to enable its ongoing use as a working boatshed and maintenance space for my boat, with the option for occasional overnight stays only.

It is my understanding that the person objecting to the change to the boatshed, is the person occupying the roof of the adjacent property belonging to Mr van Beuren.

It is a pity that the objector did not feel the same personal diligence with regard to observing planning policy constraints when he took up residence within a roof space that had never been considered for, far less received, any planning permission!

I have lodged a request for investigation and enforcement in respect of this, however I have recently been invited by you to raise a formal complaint concerning the time Moray Council have taken to respond to this.

I have lodged this this morning.

Mr Van Beuren, presumably his 'landlord', has expressed a strong desire to other people to purchase my garage and drive for himself in order to improve and enlarge his own property.

It is my view that it is this commercial self-interest which is driving the objection to my very minor proposal, not concerns over loss of amenity or transgression of planning policy.

In conclusion, the impression is hard to avoid that I am being criticised and penalised for following proper planning procedure, when my neighbour- in having developed an additional concealed dwelling without planning consent, has felt no need to observe planning legislation himself.

Kind regards,

Donald.

Donald Canavan RIBA FRIAS MCI Arb
Partner



**HURD
ROLLAND**

For the Hurd Rolland Partnership Chartered Architects

12 , Abbey Park Place, Dunfermline, Fife KY12 7PD

T 01592 873535 M 07967 329396

E donaldcanavan@hurddrolland.co.uk

W www.hurddrolland.co.uk

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