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**ERECT NEW CAR PORT EXTENSION AT 32 MUIRFIELD ROAD NEW
ELGIN MORAY IV30 6DE**

PLANNING REFERENCE NUMBER 24/00160/APP

REVIEW.

This application was made to the Moray Council on the 13th of January 2024 and a refusal decision was determined on the 28th of March 2024. The reason for refusal was given as **“The proposed car port does not comply with the Moray Local Plan Policy DP1-Development principals and National Planning Framework 4 Policy 16-Quality Homes because it would sit forward of the principal elevation of a mid terrace house in an area where there are no buildings/structures that sit to the front of houses. The proposal therefore would appear out of place and be detrimental to the established character of the surrounding area”.**

Neither the Moray Council Local Development Plan Policy DP1 or the National Planning Framework 4 Policy 14- Design, Quality and Place and policy 16- Quality homes provide any specific detailing as to what is and what is not considered acceptable. This means that the interpretation of the Policy is down to one individual which in the instance is the planning case officer.

It states that the proposal would sit forward of the principal elevation of the main house. If this is the case then what this policy is actually saying is that there is no development of any kind in front of anyones house in Moray? The 11 photographs which we have submitted is evidence that Moray Council does allow development in front of peoples house and all of these photographs are taken in Muirfield Road

The council state that this would be an undesirable precedent that would be set. The light structure with just 4 No 100mm by 100mm poles and a clear roof will have no impact on the properties either side of the application site. This is not a solid construction especially when compared to the extensions shown in the photographic evidence provided. These extension clearly demonstrate that extensions beyond the front line of the principal elevation are acceptable to Moray Council.



The photographs provided are clear evidence that consents have and still are being granted approvals to extend out the front of houses in Muirfield Road. The Appeal site faces due south and therefore has little or no impact on adjacent properties. The canopy is to provide cover for the applicant's car which is covered in seagull poo every day of the week.

We have clearly demonstrated that extensions to the front of houses in Muirfield Road is considered acceptable to Moray Council. Examples of extensions are shown on the attached maps. There are 11 extensions at the front of houses on Muirfield Road. One of which is on a terraced house. We have provided a map of the Muirfield Road area identifying houses which have build out the front of the main elevation. The map identifies the properties which we believe have set a precedent by the council and this is the character of the area. Irrespective of this being a terraced house, the structure is so light it has little or no impact on adjacent properties.

We draw your attention specifically to No 91 Muirfield Road. Here is an extension at the front of a house which is a terraced house and on the same street. So the planning officer was incorrect in saying there “no building/structures that sit to the front of houses” and that this application would create a precedent. The precedent has already been set.

We would respectfully ask that you allow for consistency in decision making and grant the applicant a consent for this canopy protection. The design could not have been made any lighter and there have been no objections from either adjoining proprietors who understand the problems with the seagulls.

There are very few terraced houses these days but at some point the whole of Muirfield Road had no extension on the front of the properties. This has changed and at least 11 extensions have been identified. This is not a solid extension and impacts on no one. Just because it is a terraced house should not exclude it from being extended when other houses have been granted consent. This is a light structure with no walls but at some point along the way an extension to a house in Muirfield Road would have been a first and did set a precedence. Has this been so bad??