

The Moray Council
Development Services
Environmental Services Dept
High Street
Elgin

28th May 2014

Ref :

Dear Sirs

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

In terms of our planning application we note the following in support of our application

Policy H4 outlines were developments involve the subdivision of housing plots will be acceptable if the plot subdivision is less than 50% of the original plot, if the plot is not backland site and if the site is at least 400 sqm excluding access.

In terms of the size of the plot this is in compliance with the policy though it is a backland development

In support of the backland section of the H4 policy, I would refer the following

Within the Locale there are similar instances namely at 15 / 17 King Street, 38, 38a Nicol Street, 11 Nicol Street
On this basis our proposals are in keeping with the area

This proposal will not have an adverse affect on the adjacent properties in terms of over looking and over shadowing

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.

In particular section 3.11 indicates that " The legal advisor advised the MLRB that, in his opinion, it was a fair and accurate interpretation of Annex A

Moray Local Plan Policy IMP1 " scale, density and character must be appropriate to the surrounding area ", " development must be integrated into the surrounding landscape which these proposals are in compliance

We are more than willing to arrange a meeting to discuss our application should the Council fee that this necessary and of benefit

On this basis we feel that there is sufficient justification to support this application for approval

Yours sincerely

Mr & Mrs S Sim

