

## Stephen Gauld

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**From:** Stephen Gauld <sg@wittets.co.uk>  
**Sent:** 01 October 2014 16:05  
**To:** 'Cathy Archibald'  
**Subject:** RE:

Cathy,

Can you clarify your proposal please.

Firstly there is an existing wall to the front of the front garden which is approximately 1.0m height, see photograph sent earlier so are you suggesting that the fence should be no more than 1.0m above the wall? Secondly there is a substantial grass verge at the corner which extends the side path beyond the corner before changing direction, so there is not issue with visibility at the corner as previously advised. If the front fence is suggested to replace the wall it will be no higher than the existing wall and will not provide any privacy.

I really do not see the problem with what is now proposed by us, but can you clarify your proposal before I report back to our client.

Regards,

Stephen

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**From:** Cathy Archibald [mailto:Cathy.Archibald@moray.gov.uk]  
**Sent:** 01 October 2014 15:35  
**To:** Stephen Gauld  
**Subject:**

Dear Stephen Gauld,

Having noted your last email and discussed with Neal Macpherson, may I suggest the front fence does not exceed 1m in height, and for the side elevation; taking the front corner back approx. 45 degrees graduating down the fence allowing prams and bikes plenty of visibility at the corner (please see attached, an approximation) and thereby allowing Ms Cooksley the privacy that she wants.

If this is acceptable I would appreciate an amended plan within 7 days.

Kind regards

Cathy Archibald  
Planning Officer

Development Management  
The Moray Council  
Development Services  
Council Offices  
High Street  
ELGIN  
Moray  
IV30 8UB

Tel. 01343 563101  
Fax. 01343 563263  
email: [cathy.archibald@moray.gov.uk](mailto:cathy.archibald@moray.gov.uk)

## Stephen Gauld

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**From:** Cathy Archibald <Cathy.Archibald@moray.gov.uk>  
**Sent:** 03 October 2014 12:51  
**To:** Stephen Gauld  
**Subject:** 1401628APP

Dear Stephen Gauld,

In light of further information and having carried out another site visit, I am happy to accept the proposal, 1.5m fence on the west and east boundary at the front of the house and not exceeding 1m on the front elevation.

If you could amend the plan showing the front not exceeding 1m in height within the next three days I'll be able to get it written up before going on holiday.

Kind regards

Cathy Archibald  
Planning Officer

Development Management  
The Moray Council  
Development Services  
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## Stephen Gauld

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**From:** Cathy Archibald <Cathy.Archibald@moray.gov.uk>  
**Sent:** 03 October 2014 14:19  
**To:** Stephen Gauld  
**Subject:** RE: 1401628APP

Thank you Stephen that will be fine.  
My apologise for the confusion.  
Kind regards

Cathy Archibald  
Planning Officer

Development Management  
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**From:** Stephen Gauld [<mailto:sg@wittets.co.uk>]  
**Sent:** 03 October 2014 14:13  
**To:** Cathy Archibald  
**Subject:** RE: 1401628APP

Cathy,

The proposal is to have the 1.55m height fencing to the south west and north west elevations, which is to the public footpath side and front of the front garden. There has never been a requirement to have fencing to the other side of the front garden between nos 25 and 23 Rockall Place.

For the avoidance of doubt, is it drwg no14/39/04B forwarded on 1 October which is acceptable? If so I should update the plan and forward to you within the next three days to allow consent to be issued.

Regards,

Stephen

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**From:** Cathy Archibald [<mailto:Cathy.Archibald@moray.gov.uk>]  
**Sent:** 03 October 2014 12:51  
**To:** Stephen Gauld  
**Subject:** 1401628APP

Dear Stephen Gauld,

In light of further information and having carried out another site visit, I am happy to accept the proposal, 1.5m fence on the west and east boundary at the front of the house and not exceeding 1m on the front elevation.

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Kind regards

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## Stephen Gauld

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**From:** Cathy Archibald <Cathy.Archibald@moray.gov.uk>  
**Sent:** 08 October 2014 15:52  
**To:** Stephen Gauld  
**Subject:** RE: 25 Rockall Place

Thanks Stephen

Cathy Archibald  
Planning Officer

Development Management  
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**From:** Stephen Gauld [<mailto:sg@wittets.co.uk>]  
**Sent:** 08 October 2014 15:49  
**To:** Cathy Archibald  
**Subject:** RE: 25 Rockall Place

Cathy,

See attached.

Regards,

Stephen

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**From:** Cathy Archibald [<mailto:Cathy.Archibald@moray.gov.uk>]  
**Sent:** 08 October 2014 14:29  
**To:** Stephen Gauld  
**Subject:** 25 Rockall Place

14/01628/APP

Hello Stephen,  
I go on holiday tomorrow evening coming back on the 20<sup>th</sup>, could you please submit an amended plan for the above so I can get it processed before going off.

Thank you for your help in this matter.  
Kind regards

## Stephen Gauld

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**From:** Cathy Archibald <Cathy.Archibald@moray.gov.uk>  
**Sent:** 09 October 2014 09:18  
**To:** Stephen Gauld  
**Subject:** 25 Rockall Place

Morning Stephen,

I was a bit confused by the location plan you sent yesterday as I was expecting elevations showing measurements and the front enclosure not exceeding 1m.

Checking through emails I note that I have not received the drwg no14/39/04B could you please re-send this ASAP.

Kind regards

Cathy Archibald  
Planning Officer

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The Moray Council  
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**From:** Stephen Gauld <sg@wittets.co.uk>  
**Sent:** 09 October 2014 14:19  
**To:** 'Cathy Archibald'  
**Subject:** FW: Application no 14/01628/APP  
**Attachments:** 14 39 04B Elevations.pdf; 20140930\_140618.jpg; 20140930\_132719.jpg

Hi Cathy,

I've forwarded this email which had the drawings attached as requested.

Regards

Cynthia

**From:** Stephen Gauld [mailto:sg@wittets.co.uk]  
**Sent:** 01 October 2014 09:39  
**To:** 'Cathy Archibald'  
**Cc:** 'valcooksley@aol.com'  
**Subject:** Application no 14/01628/APP

Cathy,

I have gone on site again to consider your view and have also discussed things further with our client.

Firstly in relation to the points raised:

- The properties 1 and 3 Bailey Place are Council properties, and it is understood that this work was undertaken by the Council. It would have been expected that Housing should have consulted with the Planning Authority but we do not wish to request enforcement proceeding as this has no benefit to our client.
- I have attached a photograph of the front garden and the adjacent properties at 24 and 26 Rockall Place. I have to say that I do not understand your assessment that the proposed fence would be intrusive. There is the same relationship of higher fence, public footpath and 1.0m lower fence to a front garden repeated throughout the development. For example, the photograph also shows this relationship next to the application site, between the higher fence to the back garden of 30 Forth Place and the neighbouring front garden of 23 Rockall Place, which was clearly not deemed to be intrusive within the original consent.

A further photograph is attached to show a higher fence to a public path at a front garden, this one at Forth Place. There are other examples.

After discussion with our client, it is our opinion that refusal of the proposal would be unreasonable and unjustified on the grounds given of being intrusive or bad neighbour development. It is requested that you proceed to determine the application based upon a revised south west elevation, see also attached ref dwg no 14 39 04B. This incorporates a splayed end to the higher fence, so that it is now fully in keeping with the height, construction and detailing of the other existing fencing both within the immediate locality and elsewhere within the development. Aesthetically it must be argued that this fence would blend in to the development and not be out of character.

It is understood that there have been no objections, and the increased height to the north west elevation would clearly not restrict the light to the front windows of 24 and 26 Rockall Place.

Please can you therefore reconsider your opinion before determining the application.

Regards,

Stephen Gauld  
for Wittets Ltd



## Stephen Gauld

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**From:** Cynthia McKay <cm@wittets.co.uk>  
**Sent:** 20 October 2014 10:11  
**To:** sg@wittets.co.uk  
**Subject:** FW: 1401628APP

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**From:** Cynthia McKay [mailto:cm@wittets.co.uk]  
**Sent:** 09 October 2014 14:56  
**To:** 'cathy.archibald@moray.gov.uk'  
**Cc:** 'cn@wittets.co.uk'  
**Subject:** FW: 1401628APP

Hi Cathy,

I've had a look at Stephens emails below. He was of the opinion that you had accepted the proposal on drawing 14/39/04B and has informed the client of this.

I understand the target determination date is the 17<sup>th</sup> October. Given the confusion and the fact that you are both on holiday could we please agree an extension to this time period to allow you and Stephen to discuss this further?

Regards

Cynthia

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**From:** Stephen Gauld [mailto:sg@wittets.co.uk]  
**Sent:** 09 October 2014 14:43  
**To:** cm@wittets.co.uk  
**Subject:** FW: 1401628APP

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**From:** Cathy Archibald [mailto:Cathy.Archibald@moray.gov.uk]  
**Sent:** 03 October 2014 14:19  
**To:** Stephen Gauld  
**Subject:** RE: 1401628APP

Thank you Stephen that will be fine.  
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Kind regards

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