



Moray Local Review Body

Thursday, 14 December 2023

NOTICE IS HEREBY GIVEN that a Meeting of the **Moray Local Review Body** is to be held at **Council Chambers, Council Office, High Street, Elgin, IV30 1BX** on **Thursday, 14 December 2023 at 09:30.**

BUSINESS

1. **Sederunt**
2. **Declaration of Group Decisions and Members Interests ***
3. **Minute of the meeting held 16 November 2023** 5 - 8
4. **LR294 - Ward 2 - Keith and Cullen** 9 - 178

Planning Application 23/00340/APP - Retrospective application for installation of dinosaur head to roof at 1 Bayview Road, Cullen.

5. **Summary of Local Review Body functions:**

To conduct reviews in respect of refusal of planning permission or unacceptable conditions as determined by the delegated officer, in terms of the Scheme of Delegation to Officers under Section 43(A)(i) of the Town & Country Planning (Scotland) Act 1997 and the Town & Country Planning (Scheme of Delegation and Local Review Procedure)(Scotland) Regulations 2013, or where the Delegated Officer has not determined the application within 3 months of registration.

GUIDANCE NOTES

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

MORAY COUNCIL

Moray Local Review Body

SEDERUNT

Councillor Marc Macrae (Chair)
Councillor Amber Dunbar (Depute Chair)

Councillor Neil Cameron (Member)
Councillor Juli Harris (Member)
Councillor Sandy Keith (Member)
Councillor Paul McBain (Member)
Councillor Derek Ross (Member)
Councillor Draeyk Van Der Horn (Member)
Councillor Sonya Warren (Member)

| | |
|------------------|--------------------------------------------------------------------------------------|
| Clerk Name: | Lissa Rowan |
| Clerk Telephone: | 07765 741754 |
| Clerk Email: | committee.services@moray.gov.uk |

Minute of Meeting of the Moray Local Review Body

Thursday, 16 November 2023

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor Neil Cameron, Councillor Amber Dunbar, Councillor Juli Harris, Councillor Sandy Keith, Councillor Marc Macrae, Councillor Paul McBain, Councillor Derek Ross, Councillor Draeyk Van Der Horn, Councillor Sonya Warren

IN ATTENDANCE

Mrs MacDonald, Senior Planning Officer and Mr Miller, Senior Planning Officer as Planning Advisers, Mr Hoath, Senior Solicitor and Ms Smith, Solicitor as Legal Advisers and Mrs Rowan, Committee Services Officer as Clerk to the Moray Local Review Body.

1 Chair

Councillor Macrae, being Chair of the Moray Local Review Body, chaired the meeting.

2 Declaration of Group Decisions and Members Interests

In terms of Standing Order 21 and 23 and the Councillor's Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Members interests in respect of any item on the agenda.

3 Minute of the meeting held 14 September 2023

The Minute of the meeting dated 14 September 2023 was submitted and approved.

4 LR292 - Ward 5 - Heldon and Laich

Planning Application 23/00132/APP – Alter and extend dwellinghouse at 9 Pitgaveny Street, Lossiemouth

A request was submitted by the Applicant, seeking a review of the decision of the Appointed Officer, in terms of the Scheme of Delegation, to refuse planning permission on the grounds that:

The proposed extended box dormer to the front and new box dormer to the rear of the existing dwelling are contrary to the Moray Local Development Plan (2020) and National Planning Framework 4 for the following reasons:

1. The proposals are unacceptable in terms of policy DP1(g) which precludes box dormers. Furthermore, the dormers are of a poor design which is incongruous with the character and scale of the existing property and surrounding area due to the unnecessary bulk and box-like appearance which the box dormers would introduce. The dormers would also be considered overdevelopment of the existing front and rear roofplanes and as such would fail to comply with MDLP2020 Policy DP1 and NPF4 Policies 14 and 16.
2. The Moray Local Landscape Review Designation Review for the Burghead to Lossiemouth SLA specifically states that development should be of the highest quality and of a scale and style that reflects buildings within the original core of the settlement. It is noted that proposed extended box dormer and new rear box dormer would have a detrimental impact on the character of the wider SLA and is therefore not considered to comply with MLDP 2020 policy EP3 and NPF4 Policy 4.

A Summary of Information Report set out the reasons for refusal, together with the documents considered or prepared by the Appointed Officer in respect of the planning application, in addition to the Notice of Review, Grounds for Review and supporting documents submitted by the Applicant.

In response to a question from the Chair as to whether the Legal or Planning Advisers had any preliminary matters to raise, the Mr Miller, Planning Adviser advised that he had nothing to raise at this time.

The Mr Hoath, Legal Adviser advised that the Applicant had included 3D images with his Notice of Review application that were not before the Appointed Officer at the time of determination, however this had not gone through the new information procedure as it was considered that these were the same plans albeit presented in a different manner.

The Chair then asked the Moray Local Review Body (MLRB) if it had sufficient information to determine the request for review. In response, the MLRB unanimously agreed that it had sufficient information to determine the case.

Councillor Cameron, having visited the site and considered the case in detail agreed with the original decision of the Appointed Officer to refuse the planning application and moved that the MLRB dismiss the appeal and uphold the original decision of the Appointed Officer to refuse planning permission in respect of Planning Application 23/00132/APP as it is contrary to policy DP1 (Development Principles) and EP3 (Special Landscape Areas and Landscape Character) of the MLDP 2020 and policies 4, 14 and 16 of NPF4. This was seconded by Councillor Warren.

There being no-one otherwise minded, the MLRB unanimously agreed to dismiss the appeal and uphold the original decision of the Appointed Officer to refuse planning permission in respect of Planning Application 23/00132/APP as it is contrary to policy DP1 (Development Principles) and EP3 (Special Landscape Areas and Landscape Character) of the MLDP 2020 and policies 4, 14 and 16 of NPF4.

5 LR295 - Ward 1 - Speyside Glenlivet

Planning Application 23/00423/PPP – Erect dwellinghouse and detached garage on site at Boharm Neuk, Boharm, Craigellachie

A request was submitted by the Applicant, seeking a review of the decision of the Appointed Officer, in terms of the Scheme of Delegation, to refuse planning permission in principle on the grounds that:

The development is contrary to Moray Local Development Plan 2020 Policies DP4: Rural Housing and DP1: Development Principles and to National Planning Framework Policy 17 Rural Homes for the following reasons:

1. The proposed development does not fit into the local landscape character in that the new house will be set far back from, and above, the public road out of character with the prevailing original development pattern in the area with the visual impacts of this exacerbated by the relationship to liveplanning consents for new house sites in the immediate area.
2. The proposed development, together with the number of live planning consents for new house sites in the immediate area, will contribute to an unacceptable build-up of housing and detrimentally alter the rural character of the area, creating unacceptable visual and landscape impacts.
3. The proposed development is contrary to Moray Local Development Plan Policy DP4 Rural Housing and its associated Policy Guidance on Cumulative Build Up as, together with other live planning consents for new houses sites in the immediate area, it will result in new houses overwhelming the presence of older buildings such that new houses are the predominant components of the landscape with the original settlement pattern difficult to perceive; the incidence and inter-visibility of new houses will become a major characteristic of the landscape; there will be a prominence of new houses from key viewpoints such as the public road; and there will be sequential visual effects of cumulative build-up of new housing experienced when travelling along roads in the vicinity of the site.

A Summary of Information Report set out the reasons for refusal, together with the documents considered or prepared by the Appointed Officer in respect of the planning application, in addition to the Notice of Review, Grounds for Review and supporting documents submitted by the Applicant.

In response to a question from the Chair as to whether the Legal and Planning Advisers had any preliminary matters to raise, the Mr Hoath, Legal Adviser advised that he had nothing to raise at this time.

Mrs MacDonald, Planning Adviser advised that developer obligations had been sought in relation to the proposed development and, should the Moray Local Review Body (MLRB) be minded to uphold the appeal and grant planning permission in principle, this would be subject to the payment of developer obligations, which, if not paid, would have to come back to the MLRB for consideration. This was noted.

The Chair then asked the MLRB if it had sufficient information to determine the request for review. In response, the MLRB unanimously agreed that it had sufficient information to determine the case.

Councillor Ross, having considered the case in detail, noted the planning consents that had already been issued and the number of houses already built in the surrounding area, which, in his opinion, had already resulted in cumulative impact of development in that area. He was also of the view that the buildings referred to by the Appointed Officer as "older" were modern in appearance. He stated that the location of the proposal was discrete in that it was off the main road and would not create an unacceptable visual impact. Taking all of this into consideration, Councillor Ross moved that the MLRB uphold the appeal and grant planning permission in principle in relation to Planning Application 23/00423/PPP as it complies with Policies DP4 (Rural Housing) and DP1 (Development Principles) of the MLDP 2020 and Policy 17 (Rural Homes) of the NPF4. This was seconded by Councillor McBain.

Councillor Harris, having visited the site and considered the case in detail, agreed with the original decision of the Appointed Officer and moved, as an amendment, that the MLRB uphold the original decision of the Appointment Officer to refuse planning permission in principle in relating to Planning Application 23/00423/PPP as it does not comply with Policies DP4 (Rural Housing) and DP1 (Development Principles) of the MLDP 2020 and Policy 17 (Rural Homes) of the NPF4. This was seconded by Councillor Van Der Horn.

On a division there voted:

| | |
|------------------------|------------------------------------------------------|
| For the Motion (5): | Councillors Ross, McBain, Dunbar, Keith and Macrae |
| For the Amendment (4): | Councillors Harris, Van Der Horn, Cameron and Warren |
| Abstentions (0): | Nil |

Accordingly, the Motion became the finding of the Meeting and the MLRB agreed to uphold the appeal and grant planning permission in principle in relation to Planning Application 23/00423/PPP as it complies with Policies DP4 (Rural Housing) and DP1 (Development Principles) of the MLDP 2020 and Policy 17 (Rural Homes) of the NPF4 subject to the payment of developer obligations, which, if not paid, would have to come back to the MLRB for consideration.



MORAY LOCAL REVIEW BODY

14 DECEMBER 2023

SUMMARY OF INFORMATION FOR CASE No LR294

Ward 2 – Keith and Cullen

Notice of Review: Planning Application 23/00340/APP – Retrospective application for installation of dinosaur head to roof at 1 Bayview Road, Cullen

Planning permission in principle was refused under the Statutory Scheme of Delegation by the Appointed Officer on 5 July 2023 on the grounds that:

The proposal is contrary to National Planning Framework 4 policy 7 and 14, Moray Local Development Plan 2020 policies DP1 and EP9 where it would detract rather than enhance the conservation area. The dinosaur head would be incongruous to the traditional appearance, materials and character of the conservation area.

Documents considered or prepared by the Appointed Officer in respect of the above planning application are attached as **Appendix 1**.

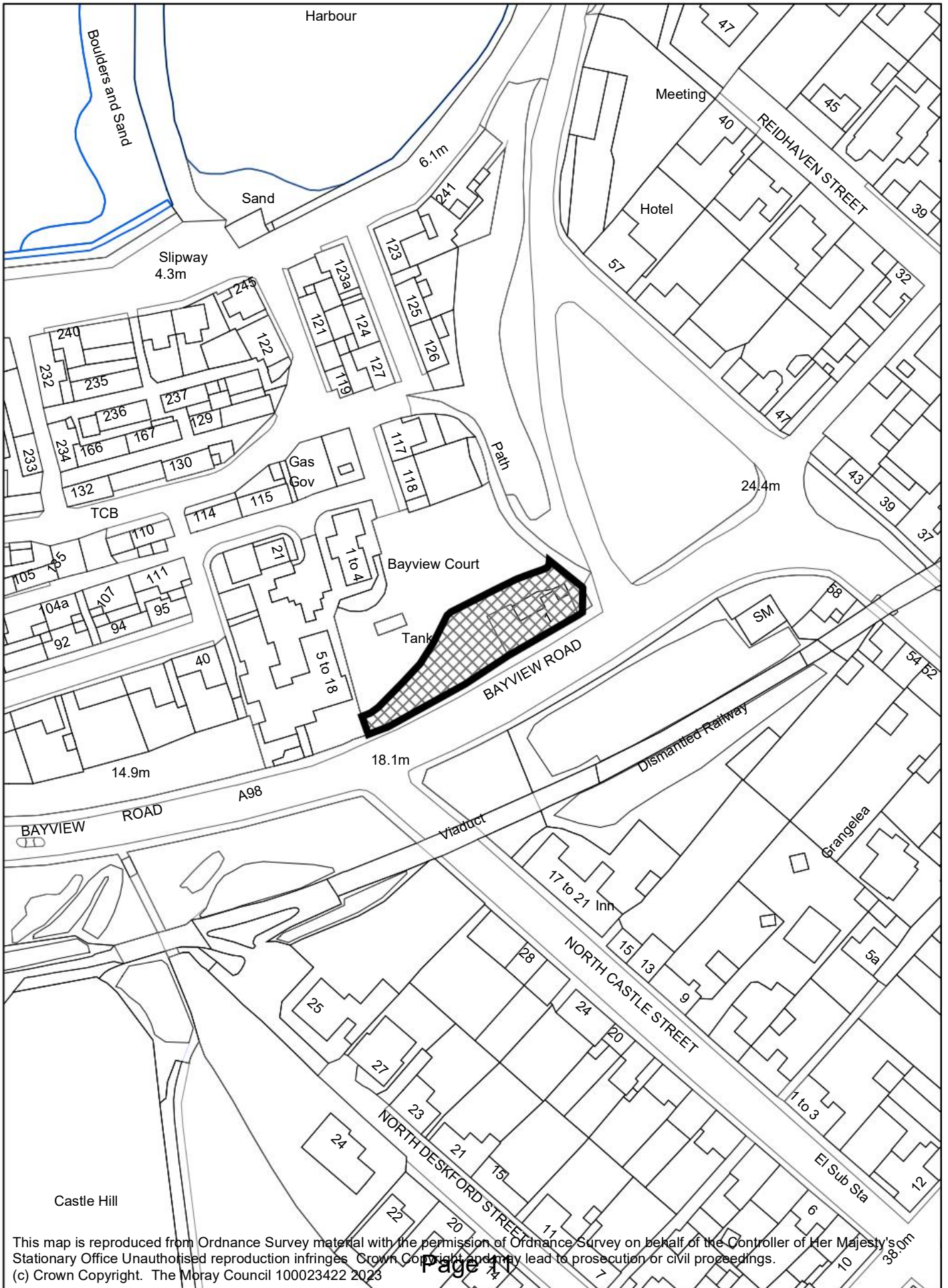
The Notice of the Review, Grounds for Review and any supporting documents submitted by the Applicant are attached as **Appendix 2**.

Further Representations received in response to the Notice of Review are attached as **Appendix 3**.

At the meeting of the Moray Local Review Body (MLRB) on 16 February 2023, the MLRB noted that National Planning Framework 4 (NPF4) had been adopted by the Council on Monday 13 February 2023 and that all planning applications determined beyond this date would have to take NPF4 into consideration, as this is now part of the MLDP 2020 and deferred consideration of the above Review to request further information from the Appointed Officer and Interested Parties after considering the planning application in light of NPF4 with any response received being forwarded to the Applicant for comment.



Location plan for Planning Application Reference Number : 23/00340/APP





APPENDIX 1

DOCUMENTS CONSIDERED OR PREPARED BY THE APPOINTED OFFICER



The Moray Council Council Office High Street Elgin IV30 1BX Tel: 0300 1234561 Email: development.control@moray.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100614108-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Retrospective application for installation of dinosaur head to roof at Cullen Antiques Centre, 1 Bayview Road, Cullen, Buckie.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

Applicant was unaware that planning consent would be required.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

| | | | |
|-----------------------|--------------------------|------------------------------------------------------|----------------------|
| Company/Organisation: | Grant and Geoghegan Ltd. | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | Neil | Building Name: | Grant Lodge |
| Last Name: * | Grant | Building Number: | <input type="text"/> |
| Telephone Number: * | 07769744332 | Address 1 (Street): * | Birnie |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | ELGIN |
| Fax Number: | <input type="text"/> | Country: * | Scotland |
| | | Postcode: * | IV30 8SW |
| Email Address: * | neil@ggmail.co.uk | | |

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|------------------------|------------------------------------------------------|-------------------------|
| Title: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | per grant and geoghegan |
| First Name: * | <input type="text"/> | Building Number: | <input type="text"/> |
| Last Name: * | <input type="text"/> | Address 1 (Street): * | Grant Lodge |
| Company/Organisation | Cullen Antiques Centre | Address 2: | Birnie |
| Telephone Number: * | <input type="text"/> | Town/City: * | ELGIN |
| Extension Number: | <input type="text"/> | Country: * | Scotland |
| Mobile Number: | <input type="text"/> | Postcode: * | IV30 8SW |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | neil@ggmail.co.uk | | |

Site Address Details

Planning Authority:

Moray Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Retrospective application for installation of dinosaur head to roof at Cullen Antiques Centre, 1 Bayview Road, Cullen, Buckie.

Northing

867179

Easting

351062

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

716.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Antiques Centre

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Existing

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Neil Grant

On behalf of: Cullen Antiques Centre

Date: 24/02/2023

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|----------------------------------------------------------------------------------------|------------------------------|-----------------------------------------|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

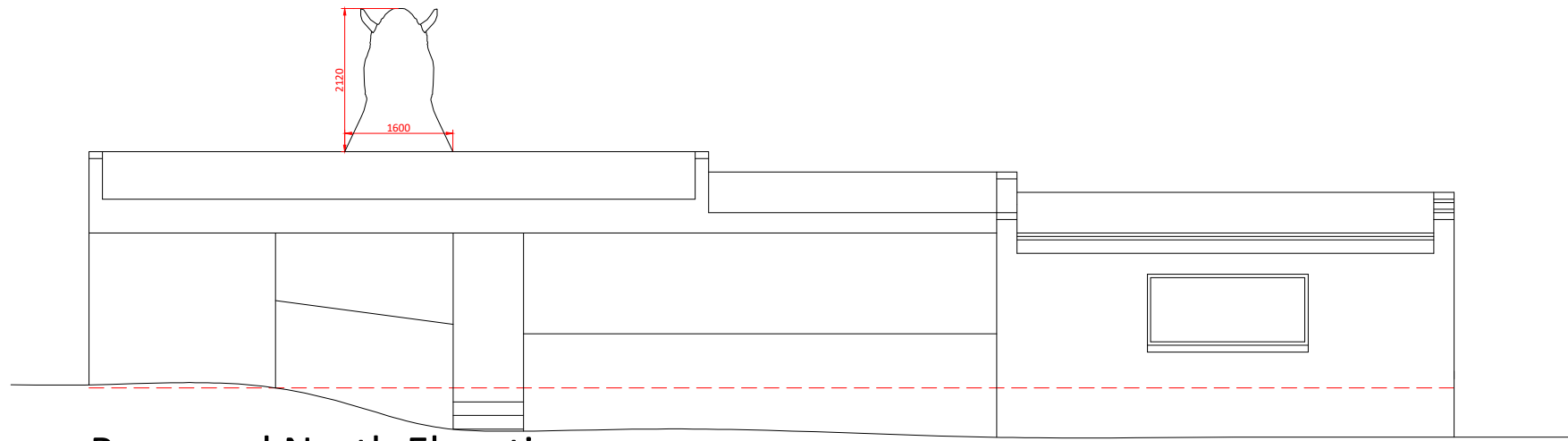
Declaration Name: Mr Neil Grant

Declaration Date: 24/02/2023

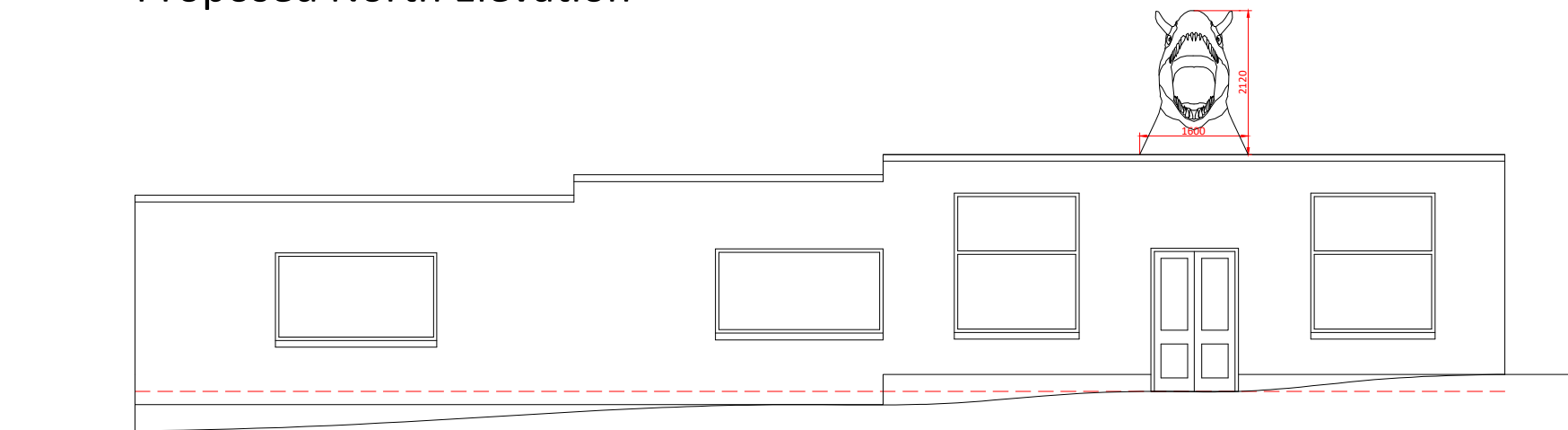
Payment Details

Cheque: X, X

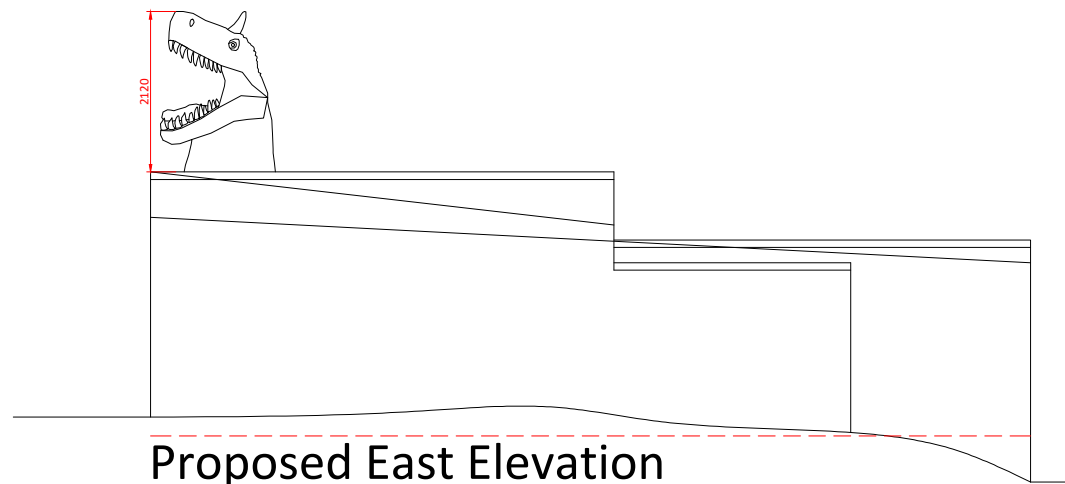
Created: 24/02/2023 16:15



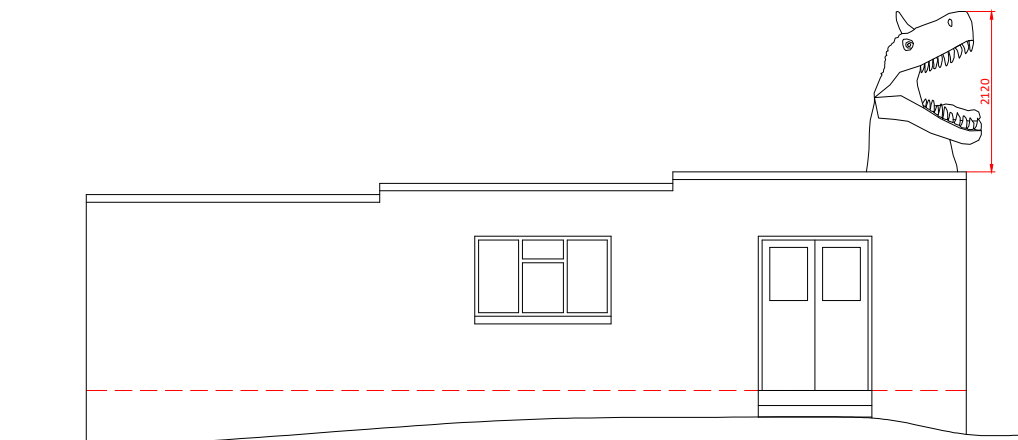
Proposed North Elevation



Proposed South Elevation



Proposed East Elevation

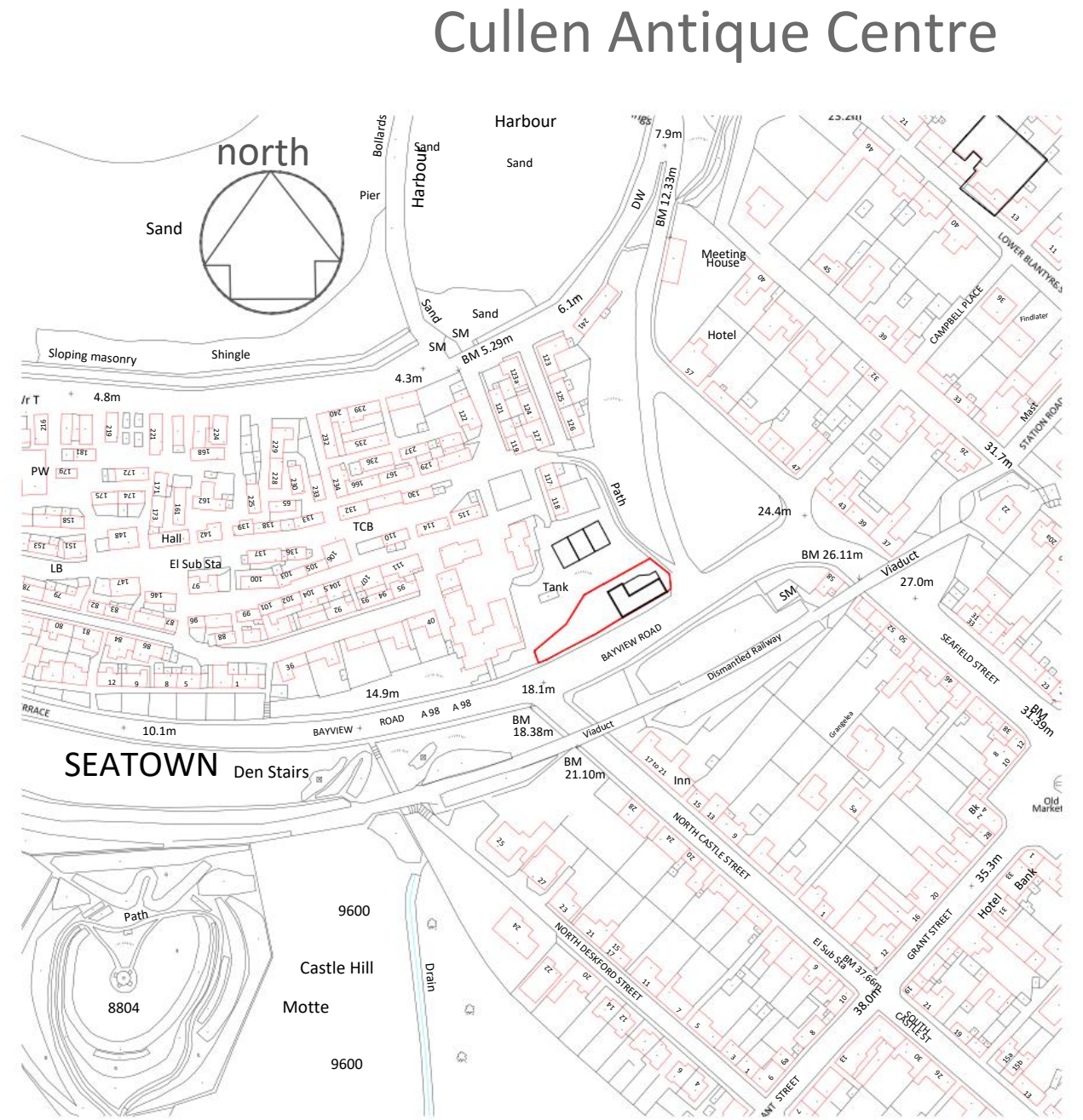
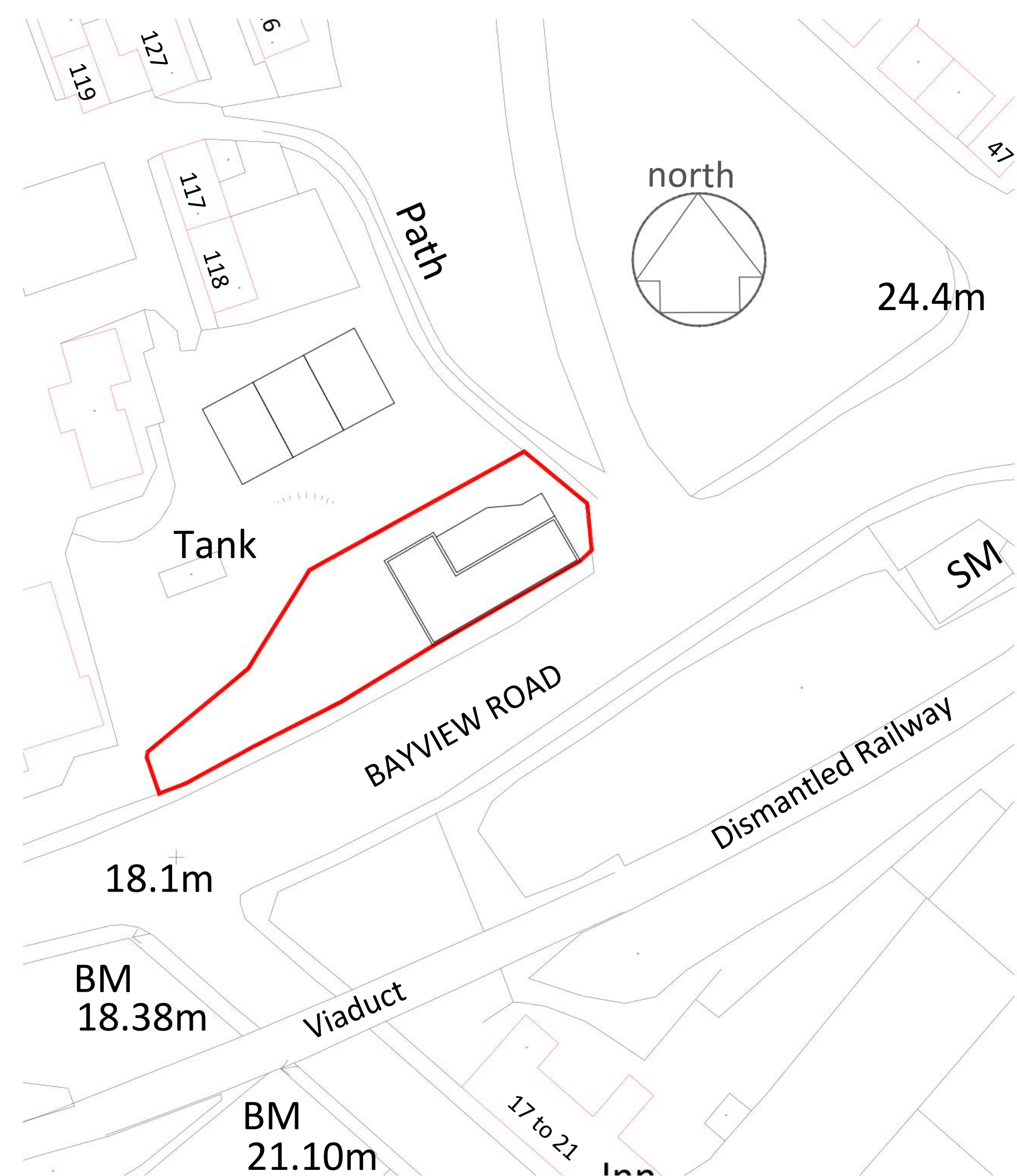


Proposed West Elevation

grant and
geoghegan

planning, development and
architectural consultants

T:01343 556644
E:enquiries@ggmail.co.uk



grant and
geoghegan

planning, development and
architectural consultants

T:01343 556644
E:enquiries@gmail.co.uk

Consultation Request Notification

| | |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Planning Authority Name | Moray Council |
| Response Date | 21st March 2023 |
| Planning Authority Reference | 23/00340/APP |
| Nature of Proposal (Description) | Retrospective application for installation of dinosaur head to roof at |
| Site | 1 Bayview Road Cullen Buckie Moray AB56 4SB |
| Site Postcode | N/A |
| Site Gazetteer UPRN | 000133037787 |
| Proposal Location Easting | 351076 |
| Proposal Location Northing | 867176 |
| Area of application site (M²) | 716 |
| Additional Comment | |
| Development Hierarchy Level | LOCAL |
| Supporting Documentation URL | https://publicaccess.moray.gov.uk/eplanning/centralDistribution.do?caseType=Application&keyVal=RQQ8TMBGM5Z00 |
| Previous Application | |
| Date of Consultation | 7th March 2023 |
| Is this a re-consultation of an existing application? | No |
| Applicant Name | Cullen Antiques Centre |
| Applicant Organisation Name | |
| Applicant Address | Per Agent |
| Agent Name | Grant And Geoghegan Limited |
| Agent Organisation Name | |
| Agent Address | Grant Lodge Birnie Elgin Moray IV30 8SW |
| Agent Phone Number | |
| Agent Email Address | N/A |
| Case Officer | Neal MacPherson |
| Case Officer Phone number | 01343 563266 |
| Case Officer email address | neal.macpherson@moray.gov.uk |
| PA Response To | consultation.planning@moray.gov.uk |

NOTE:

If you do not respond by the response date, it will be assumed that you have no comment to make.

The statutory period allowed for a consultation response is 14 days. Due to scheduling pressures if a definitive response is not received within 21 days this may well cause the two month determination period to be exceeded.

Data Protection - Moray Council is the data controller for this process. Information collected about you on this form will be used to process your Planning Application, and the Council has a duty to process your information fairly. Information we hold must be accurate, up to date, is kept only for as long as is necessary and is otherwise shared only where we are legally obliged to do so. You have a legal right to obtain details of the information that we hold about you.

For full terms please visit http://www.moray.gov.uk/moray_standard/page_121513.html

For full Data Protection policy, information and rights please see http://www.moray.gov.uk/moray_standard/page_119859.html

You can contact our Data Protection Officer at info@moray.gov.uk or 01343 562633 for more information.

Please respond using the attached form:-

MORAY COUNCIL

PLANNING CONSULTATION RESPONSE

From: Transportation Manager

Planning Application Ref. No: 23/00340/APP

**Retrospective application for installation of dinosaur head to roof at 1 Bayview Road Cullen
Buckie Moray for Cullen Antiques Centre**

I have the following comments to make on the application:-

- | | Please |
|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| (a) I OBJECT to the application for the reason(s) as stated below | <input type="checkbox"/> |
| (b) I have NO OBJECTIONS to the application and have no condition(s) and/or comment(s) to make on the proposal | <input checked="" type="checkbox"/> |
| (c) I have NO OBJECTIONS to the application subject to condition(s) and/or comment(s) about the proposal as set out below | <input type="checkbox"/> |
| (d) Further information is required in order to consider the application as set out below | <input type="checkbox"/> |

Transportation has no objections to the retrospective installation.

Contact: AG

email address: transport.develop@moray.gov.uk

Consultee: TRANSPORTATION

Date 10 March 2023

| | |
|---------------------------|-------------------------------------------|
| Return response to | consultation.planning@moray.gov.uk |
|---------------------------|-------------------------------------------|

Please note that information about the application including consultation responses and representations (whether in support or objection) received on the proposal will be published on the Council's website at <http://publicaccess.moray.gov.uk/eplanning/> (You can also use this site to track progress of the application and view details of any consultation responses and representations (whether in support or objection) received on the proposal). In order to comply with the Data Protection Act, personal information including signatures, personal telephone and email details will be removed prior to publication using "redaction" software to avoid (or mask) the display of such information. Where appropriate other "sensitive" information within documents will also be removed prior to publication online.

Comments for Planning Application 23/00340/APP

Application Summary

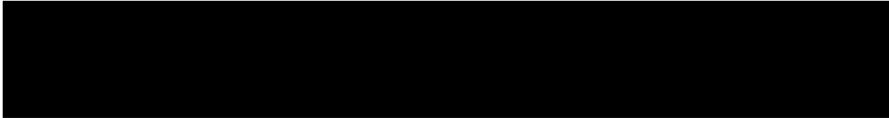
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate materials/finishes
- View affected

Comment:Very unsightly. A blight on the landscape. Hope it's removed immediately.

Comments for Planning Application 23/00340/APP

Application Summary

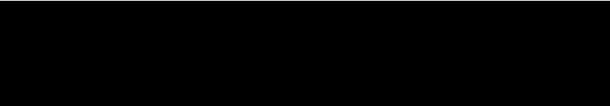
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It's brilliant and totally improves the building and brings so much joy to everyone who sees it. Please allow it to stay!

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Tourists love it Fun addition

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inappropriate materials/finishes

Comment: It is an eyesore

Comments for Planning Application 23/00340/APP

Application Summary

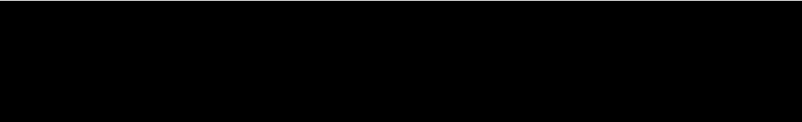
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- View affected

Comment:It is an eyesore.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Poor design
- View affected

Comment: It looks hideous. Does not fit in with the surrounding area and spoils the natural look

Comments for Planning Application 23/00340/APP

Application Summary

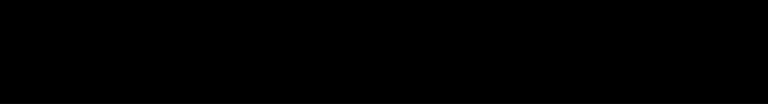
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- View affected

Comment: The dinosaur head should not be allowed to remain. The neighbouring part of Cullen will no doubt be a conservation area and said monstrosity totally destroys a beautiful view across Cullen sea town. I can only describe it as Tacky. Cullen is a beautiful town steeped in history and should be kept so. I believe the applicant is also responsible for the American truck parked outside similar business property in Seafield street, Cullen, which is parked illegally and taking up a parking space which are often at a premium in the town.

Comments for Planning Application 23/00340/APP

Application Summary

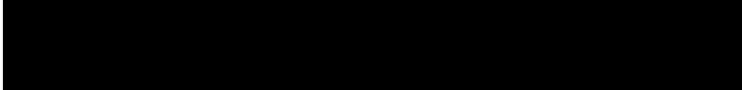
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Procedures not followed correctly

Comment: I fully support local art initiatives such as this. A dinosaur head sculpture might not be everyone's preferred choice, but I personally feel that in the face of some local opposition to the installation, it is completely appropriate and should be allowed to stay in the town.

Maybe it could be accompanied by a dilophosaurus.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment: This is totally out of place in this picturesque village. This is a distraction from the old fishing village views of Cullen bay.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Poor design
- View affected

Comment: We already have lovely natural landscape in the town. Tourist come to see beautiful old historic buildings things like old church, square and the viaducts etc history. I don't see what benefit there is to adding a large random dinosaur head in this beautiful natural picturesque view. I personally find it is an eye sore.

Comments for Planning Application 23/00340/APP

Application Summary

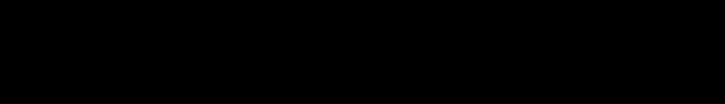
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I like it, it's quirky and a bit of fun which I think Cullen is generally.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment:As I recent visitor to Cullen, I was horrified to see an ugly dinosaur head plonked atop a building near the green. Cullen Bay is spectacular, but the view is completely destroyed by this vulgar, plastic monstrosity. How on earth this could be allowed is beyond belief.

I hope the council will have this removed as soon as possible.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Inappropriate materials/finishes
- Legal issues
- Poor design
- Procedures not followed correctly
- Road safety
- Traffic
- View affected

Comment: Spoils famous view of viaducts. Within sight of listed/conservation area where strict regulations apply. Is also a distraction to drivers.

Not appropriate for its surroundings, cheapens the look of the town.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment: This is not in keeping with the structures that are around it. Living in the seatown I must abide by conservation rules. As do those in adjoining areas. I have to look at this every day when I leave the seatown and feel it is not in keeping with the conservation area it sits amongst

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It's fun, it gets people talking. It's becoming a landmark. Keep it.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Poor design
- View affected

Comment:As a resident in Cullen having to drive past this everyday it just spoils the view out over the bay as you come through the viaduct. Everyone was lead to believe it was a temporary thing (would be up for a few weeks or so) but it has been a permanent fixture for quite a while now and just becoming an eyesore.

Comments for Planning Application 23/00340/APP

Application Summary

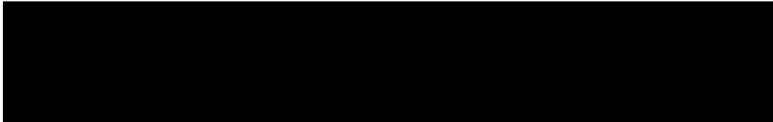
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: A delightful design that brings joy to the village!

Comments for Planning Application 23/00340/APP

Application Summary

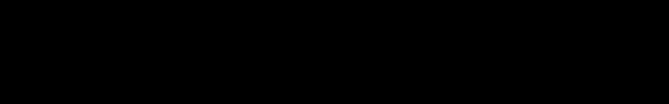
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: From Portsoy and as regular travellers through Cullen or eating out in Cullen our 4 year old always looks out for the dinosaur from the car. I would imagine most kids are the same - what a great fun thing to do. If it can put Cullen on the map for a 4 year old (she literally knows the towns name now by the dinosaur head) then surely that's a good thing.

Comments for Planning Application 23/00340/APP

Application Summary

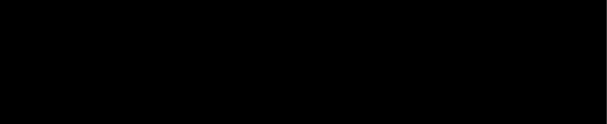
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Poor design
- View affected

Comment: Detracts from natural beauty

Comments for Planning Application 23/00340/APP

Application Summary

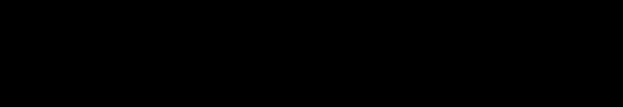
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I want the dinosaur head to stay! It's not doing any harm. People keep going on about it being an eyesore and not in keeping with Cullen. But the building it's sat on is not in keeping with Cullen. If the dinosaur goes, the whole building should go. I think it's fun and a good talking point for people visiting. They may forget where they are and maybe refer to Cullen as the place with the dinosaur head. The majority of people complaining are dinosaurs themselves.

PRO-DINO!

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Love seeing the "monster" going through Cullen. People will be drawn to Cullen to see it and hopefully stop and spend money in the local shops.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Poor design

Comment: This is a complete eyesore and not in keeping with the traditional feeling of the village.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Poor design
- View affected

Comment: While perhaps amusing for small children, this is an ugly addition to this building and an eyesore spoiling a beautiful natural view.

It serves no purpose and detracts from the conservation area of the Seatown.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur is a bit of fun and my children love to see it when we go through cullen. The shops stands alone on the hill with no houses next to or across so it is not blocking anyone's view. As cullen is mainly a tourist attraction the dinosaur is part of the charm.

Comments for Planning Application 23/00340/APP

Application Summary

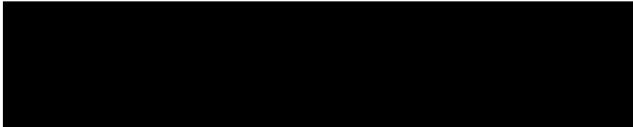
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The presence of the dinosaur head provides a novel moment of joy for the young ones of Cullen and surrounding areas. Also a fun and quirky tourist attraction for future visitors to Cullen. It's doing no harm, no need to take it away.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It's fun for the kids to see

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Litter
- Road safety
- View affected

Comment: The dinosaur head is not in keeping with the historic seatown buildings.

The head is in a position where it catches the attention of passing motorists (it is designed for the purpose of catching people's attention) and is placed high up near a blind corner, so it may pose a road safety hazard.

The dinosaur may, being there millions of years after its sell-by date, cause the extinction of other species, by causing unfair competition for food and eating other species including humans - though the latter consideration may not be a bad thing.

The head may also be attractive to seagulls as a nesting place, thereby posing a hazard to public health.

The dinosaur head may frighten old ladies and cause them to faint.

Is the dinosaur gender-neutral? if not its design will have to be changed to reflect this approach.

Comments for Planning Application 23/00340/APP

Application Summary

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Height of proposed development
- Procedures not followed correctly
- View affected

Comment:1. Seriously contravenes the Cullen Conservation Area Appraisal document, particular with respect to appropriate roofing.

2. Cullen Conservation Area Appraisal document says "Unsympathetic designs, colours and signage can erode the traditional character and will be resisted when considering new shopfront proposals within the Conservation Area."

3. Protrudes above the roof level at a key vantage point for an iconic and picturesque view.

4. Not relevant to the history and essential character of Cullen.

5. A plasticky and cartoon-like eyesore not in keeping with the visual landscape of an area of special historic interest.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- View affected

Comment: This illuminated eyesore may be suitable for a carnival float but it is completely inappropriate in a designated conservation area. It detracts from the view of Cullen Bay, a major tourist attraction for the town. Situated round a sharp bend on the main road, it probably constitutes a distracting hazard for motorists.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Poor design
- Procedures not followed correctly
- View affected

Comment: The dinosaur head is an affront. It's ugly and detracts from the natural beauty of Cullen. Also it was put up without appropriate permissions. It's not a funny item, it's not attractive and it is most certainly an eyesore.

Comments for Planning Application 23/00340/APP

Application Summary

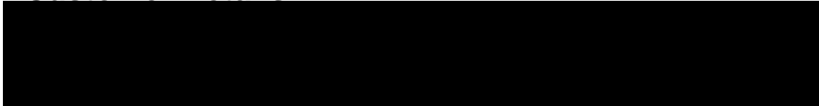
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We love the dinosaur and would be sad to see him go.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It is not doing any harm children love it and it is bringing more visitors to the area

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Lack of landscaping
- View affected

Comment: Now what do I feel about this. I live in the Seatown. I ask YOU what would you think if your next door house put this on his house. I am sure those who pass by are OK with it. Its a bit of fun. But live with IT/ Get the thing down it does not represent the Seatown in any way. The Seatown is a listed building area and so should the property be above on the main road. Please reject this as not in keeping with nearby listed buildings area which those in the Seatown wish to and do maintain with everything they do.

Keep Safe & Well,

Regards.



Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Lovely funny addition to a drab village

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



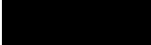
Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inadequate plans
- Inappropriate materials/finishes
- Poor design
- Precedent
- Road safety
- Traffic

Comment: It is a total eyesore, a distraction to road users and  thinks he's above all rules and regulations.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I regularly drive through Cullen to visit my parents in Buckie. The dinosaur head is a real talking point. My friends and family always have a giggle and a smile when we drive past. It would be a real shame for this to be removed.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Poor design
- Procedures not followed correctly
- View affected

Comment:

1. Seriously contravenes the Cullen Conservation Area Appraisal document particular with respect to appropriate roofing.
2. Cullen Conservation Area Appraisal document says "Unsympathetic designs, colours and signage can erode the traditional character and will be resisted when considering new shopfront proposals within the Conservation Area."
3. Protrudes above the roof level at a key vantage point for an iconic and picturesque view.
4. Not relevant to the history and essential character of Cullen.
5. A plasticky and cartoon-like eyesore not in keeping with the visual landscape of an area of special historic interest.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: My kids love 'Snappy' we pass this to go to rainbow days 2 groups or going to the icecream shop. It isn't an eye sore. Doesn't obstruct any view

And as Cullen is a touristy place, it gives the tourist something else to look at when visiting Cullen.

Comments for Planning Application 23/00340/APP

Application Summary

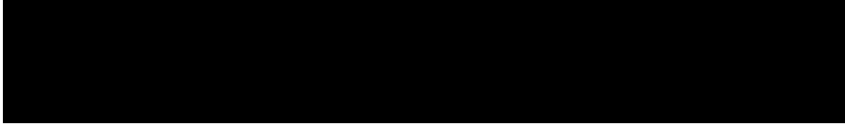
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur is in a popular sea town that has lots of visitors from many different places in the world.

It adds character to the town and is a popular art attraction for many.

Brings smiles to all ages.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I absolutely love the dinosaur. It gives the place character. So please leave it alone

Comments for Planning Application 23/00340/APP

Application Summary

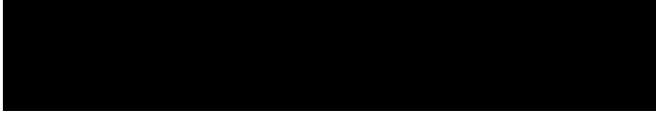
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Poor design
- Precedent
- Procedures not followed correctly
- Road safety
- View affected

Comment: Eyesore and not in keeping with the surrounding area. Also potential traffic distraction.

Comments for Planning Application 23/00340/APP

Application Summary

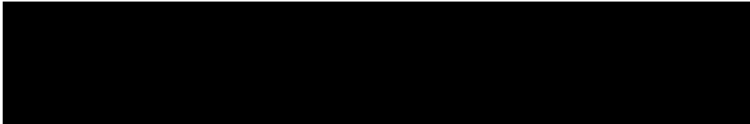
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur head is a quirky, unique feature which could become a tourist attraction in its own right, similar to the famous 'Headington Shark' in Oxford which was permitted to remain by a Planning Inspector, despite the local authority's concerns of setting a precedent, with the inspector noting: "In the five years since the shark was erected, no other examples have occurred... any system of control must make some small place for the dynamic, the unexpected, the downright quirky. I therefore recommend that the Headington Shark be allowed to remain."

The dinosaur head adds character and interest to a building which is of little architectural merit and does not contribute positively towards the character and appearance of the conservation area. The head does not detract from visual amenity, nor character and appearance of the conservation area.

The head may also be an attractive place for the nesting of birds, which would constitute a localised biodiversity net-gain, in accordance with Policy 3 of NPF4.

Planning permission should be granted, at least on a temporary basis, with the situation reviewed again in 3 to 5 years' time. Any potential for similar such figures elsewhere in the town can be assessed on a case-by-case basis - if there is any concern over setting a precedent.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment

Comment: The development is totally inappropriate for the location and is an eyesore in what is otherwise a natural beautiful setting on the edge of the conservation area of Seatown. The building on which it is located is already a dated eyesore out of keeping with its surroundings without drawing further attention to it. The "feature's" illumination during the hours of darkness can only be described as "tacky" and something more in keeping with a theme park and must be distracting for drivers. I fear that granting the application will set a bad precedent for applications of a similar nature in the popular beautiful town of Cullen which attracts many visitors from outwith the area.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan

Comment: 1 Bayview Road, Cullen, is within one of Cullen's designated conservation areas.

Installation of the dinosaur head requires planning permission and "Work which requires Planning Permission must be of a high standard appropriate to its surroundings. Planning legislation requires the Council to consider whether the proposed development "preserves or enhances" the special character of the Conservation Area".

It is argued that installing the dinosaur head does not preserve or enhance the special character of the area and, therefore, planning permission should be denied.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Road safety
- View affected

Comment: Not in keeping with Cullen scenery - no actual relevance to Cullen. Could cause accident if drivers distracted on a busy A road, popular with tourists.

Comments for Planning Application 23/00340/APP

Application Summary

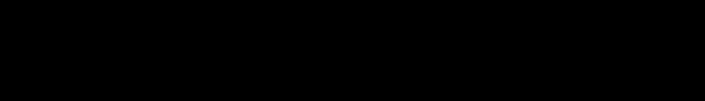
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Inappropriate materials/finishes
- Precedent
- Procedures not followed correctly
- Road safety

Comment: This looks totally out of place in a small historic village and does not fit in with anything in Cullen, it might be okay on Blackpool sea front but not Cullen. I also feel it is a distraction to drivers. Allowing things to be passed retrospectively sends out the wrong message to people who ignore the system and makes a mockery of those who abide by the regulations. Reject this application.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- Precedent
- Procedures not followed correctly
- Road safety

Comment: Totally unsuitable item to be placed on a rooftop in the picturesque village of Cullen. Also in an area prone to high winds is the item safely secured to the rooftop? Also a distraction to road users.

Comments for Planning Application 23/00340/APP

Application Summary

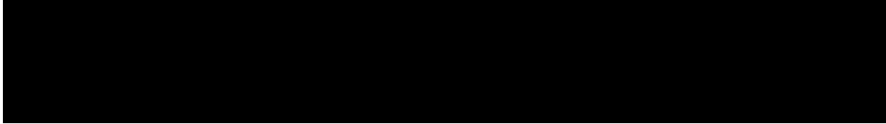
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Inappropriate materials/finishes
- Over-development of site
- Poor design
- View affected

Comment: This 'object' is an absolute eyesore and in no way whatsoever is it in keeping with the local area and certainly conservation rules within this community.

It is nothing short of detrimental, ugly and overbearing in such a picturesque village as Cullen is.

The dinosaur head should be removed at the earliest opportunity!

Thank you for receiving my comments



Comments for Planning Application 23/00340/APP

Application Summary

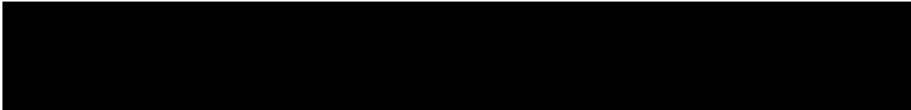
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Legal issues
- Out of Time Objection
- Poor design
- Precedent
- Road safety
- View affected

Comment: Out of keeping with its surroundings and does not have any relevance to the town of Cullen. Spoils the views, both looking toward the sea and Seatown and toward the viaduct.

There is also the health and safety aspect (which I am not sure is dealt with by the Planning department or whether it is a matter for Building Control); I am concerned that the materials and anchorage of the dinosaur head to the structure would degrade over time, making this a risk of pieces (or the whole dino head) being torn from the building in high winds therefore becoming a hazard to passing vehicles and pedestrians. Currently, it is a distraction to drivers.

Comments for Planning Application 23/00340/APP

Application Summary

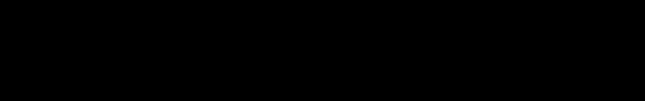
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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- Road safety

Comment: Located within Conservation area. Distracting to drivers on a busy part of the road with people crossing. The owner of this property has not maintained the exterior effectively so it is highly doubtful that the roof is sufficient to properly secure the new structure.

Comments for Planning Application 23/00340/APP

Application Summary

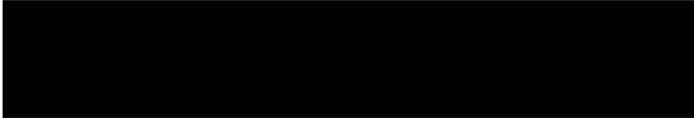
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- Procedures not followed correctly
- View affected

Comment: This is a conservation area and should be treated as such. Cullen is a beautiful place and has been made a laughing stock by this monstrosity. It used to be known by the stunning coastline and viaducts now it is known as the place with the plastic dinosaur! No consideration has been made regarding safety either. We can see drivers passing through looking up at the dinosaur rather than the road. In the summer months there are many tourists crossing the road at that point. In addition, the location is very exposed and given the age and poor condition of the building can it be guaranteed that it will be safe in the long term?

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Permitted Development

Comment: Brings a smile to all young and old. It's doing no harm.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have no objection. It is not unsightly, kids and other people like to go and look at it. It brings people to Cullen. It doesn't get in the way or cause any obstruction. Leave it where it is.

Comments for Planning Application 23/00340/APP

Application Summary

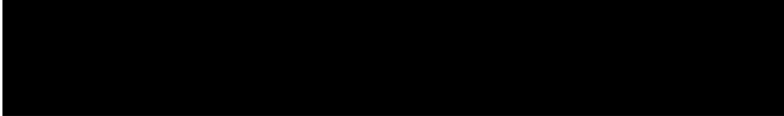
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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- Precedent
- Procedures not followed correctly

Comment: The retrospective proposals are contrary to planning policy. The very prominent location of the site in the centre of the Conservation Area, significantly increases the adverse impact of the oversized modern rooftop addition.

This sensitive site sits immediately adjacent the B listed Viaducts, below the scheduled monument of Castle Hill, commands views over historic Seatown and Cullen Bay beyond. Views around this area, and importantly from the busy A98 trunk road, are negatively impacted by the proposal.

The position, materials, form, colour, scale and illumination of the dinosaur head are a wholly inappropriate addition within a conservation area. It significantly and negatively impacts the character of the conservation area and character of the neighbouring listed buildings and scheduled monument. I therefore object.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: A very creative and imaginative art installation. Cullen and Seatown in particular rely increasingly on visitors to the area and the publicity generated through this installation can only benefit the local economy.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- Precedent
- Procedures not followed correctly
- Road safety
- View affected

Comment: Everything about this application is contrary to the rules and spirit of the Conservation Plan which protects the built environment of this planned village, which celebrated its bicentenary last year.

It is totally inappropriate in the vicinity of the scenic bay; the Scheduled Monument of Castle Hill, once home to King Robert the Bruce; the Conservation Area of the Seatown and Thomas Telford's Harbour of 1817; Wm Playfair's Temple of Pomona of 1821 and the B listed Victorian era viaducts which are renowned for their beauty in this landscape.

As such this application impacts significantly "The Spirit of The Place", the view and ultimately the reputation of Cullen and the Moray Council.

If this addition is approved retrospectively, frankly what is the point in having a planning system at all? It would be a kick in the teeth to everyone who has worked to maintain the Conservation Area of Cullen and would provide a precedent for a future free for all...anything goes!

Comments for Planning Application 23/00340/APP

Application Summary

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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Inappropriate materials/finishes
- Poor design

Comment: The dinosaur head looks very unsightly in an area known for natural beauty. It's totally out of keeping in the area.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Inappropriate materials/finishes
- Poor design
- View affected

Comment: This has no bearing or relevance to Cullen, the building or the surrounding architecture. It is an eyesore.

Comments for Planning Application 23/00340/APP

Application Summary

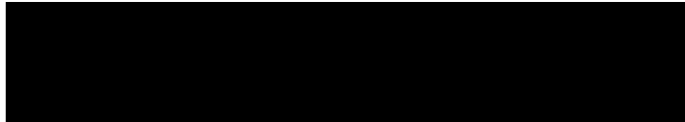
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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan

Comment: Out of place in has been there for over a year

Lowering the natural landscape of the town

(illuminated)

Comments for Planning Application 23/00340/APP

Application Summary

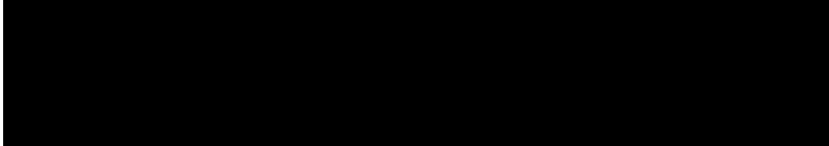
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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Activity at unsociable hours/behaviour
- Affecting natural environment
- Inadequate plans
- Lack of landscaping
- Objection now withdrawn
- Out of Time Objection
- Parking
- Poor design
- Precedent
- View affected

Comment: This statue destroys the view of the beach from Cullen. It is a disgusting eyesore to the community and clashes with the rest of the surrounding area. It has no purpose and it is not comical.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Lack of landscaping
- Poor design
- View affected

Comment: The dinosaur head looks completely out of place and just ruins the view and atmospherics as you come out of the viaduct

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- View affected

Comment: It's an eyesore, that ruins a lovely view of seatown.

Comments for Planning Application 23/00340/APP

Application Summary

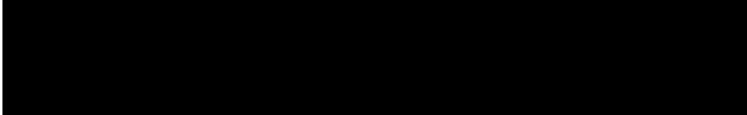
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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- View affected

Comment: Absolute eyesore on an otherwise, lovely building.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Inappropriate materials/finishes
- View affected

Comment: Eyesore

Comments for Planning Application 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Poor design

Comment: It's a disgusting sight in a beautiful area, more for disney land that a nice scenic area like cullen.

Comments for Planning Application 23/00340/APP

Application Summary

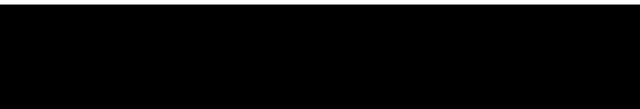
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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I grew up in Cullen and think the town is so beautiful and unspoiled. I loved the area so much I returned to Elgin due to my last posting in the Army (24 years).

This eyesore is a blot on the landscape of such a beautiful seaside town, my work colleagues talk about this but not in a good way and not that they want to go into the shop.

Please see sense and refuse permission, I am sure there has been so many others far more sensitive applications refused.

Comments for Planning Application 23/00340/APP

Application Summary

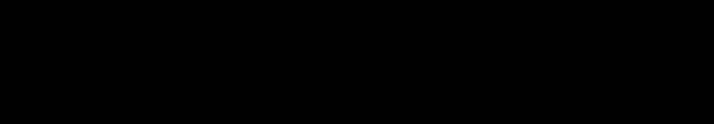
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Children love the dinosaur head it's a unique source of excitement for them.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

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Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Poor design

Comment: Massive eyesore on the town, get rid of it.

Comments for Planning Application 23/00340/APP

Application Summary

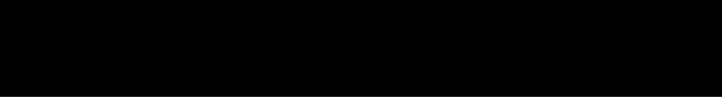
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Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inadequate plans
- Inappropriate materials/finishes
- Poor design
- Precedent
- Procedures not followed correctly
- Road safety

Comment: EYESORE, should never have been erected in first place without permission. Need I say more !!!

Comments for Planning Application 23/00340/APP

Application Summary

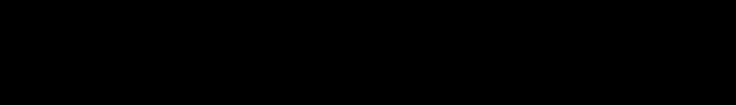
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Poor design
- View affected

Comment: This should not be approved, Cullen has its very own charm, the old house & beautiful scenery... this monstrosity is an offence to every person living in Cullen. Many of whom have to follow strict guidelines as to what type of window is allowed, so to say this is okay would be unjust.

It will also set a precedence, allowing others to do the same.

I'm a sculptor & not against sculptures & have some on my own property, but in an historic town, this isn't appropriate!

I just hope Moray Council make at least one good decision this year & have this removed for good as it should never have been up this long in the first place. Please do your job, please.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is a fun and playful enhancement to an eyesore of a structure which was permitted to be built in unfortunately less regulated times. There is very little in Cullen to appeal to children and to the young at heart. This dinosaur feature ticks that box. It has become something of an attraction and causes no harm. Much of the town's development is restricted by its conservation area status. No community can persist in a traditional, resistant to change bubble. How good would it be to accept this installation for what it is: something to make us smile but not to be taken too seriously - for however long it remains in place?

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Community Council/Association Consult
- Contrary to Local Plan
- Height of proposed development
- Legal issues
- Procedures not followed correctly
- Road safety
- View affected

Comment: Contrary to local plan / Legal :

Govt Scot website guide to conservation areas. <https://www.gov.scot/publications/guide-conservation-areas-scotland/>

http://www.moray.gov.uk/moray_standard/page_86282.html

The proposed is a building directly above Seatown looking down onto it. Historically this surely breaches conservation guidelines to put a 7 ft fibreglass structure on a roof above it. Moray councils own website lists Seatown and the location of this building as within your own maps conservation area.

Road Safety : this building / structure in question is right on the main road through the town, only 6ft feet from the main road, a 7ft high fibreglass structure - on a building fully exposed to the sea and winds with a main road next to it. If there is an accident from very high winds we have seen causing injury or damage, potential is obvious.

Community Council

Were the local community council members discussed on this prior to the erection of the structure

without permission?

View Affected :

Anyone who has seen this will find it difficult to not say the views have been affected by this.

Comments for Planning Application 23/00340/APP

Application Summary

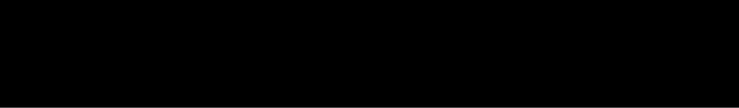
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Community Council/Association Consult
- Height of proposed development
- Inadequate plans
- Precedent
- Procedures not followed correctly

Comment: This matter should have been addressed much earlier. I notified Moray Council on the day it appeared. Moray Council did not even know what I was talking about.

A 7ft high x 5ft wide structure appears on a one storey building without any consultation or discussion apart from the person who wants it there. Is this acceptable behaviour?. Someone who did not know, or think he needed permission, I am very surprised he did ask for advice on this matter.

I hope this is NOT the PRECEDENT for Moray Council procedures "do it get permission later." Not very Professional, but there are a few queries, with Moray Council, which may be addressed through the proper Channels.

Comments for Planning Application 23/00340/APP

Application Summary

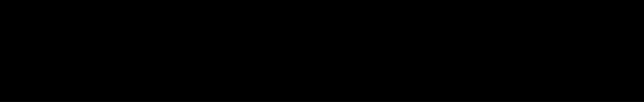
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Great addition to the car journey through Cullen.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Poor design
- Procedures not followed correctly
- Road safety
- View affected

Comment: Is it in safe condition to withstand high winds and keep road users safe or people using public path. Not in keeping with local area. Can't see any other building in areas being allowed this eye sore. Local area can't put in energy saving windows so why this eye sore be allowed.

Comments for Planning Application 23/00340/APP

Application Summary

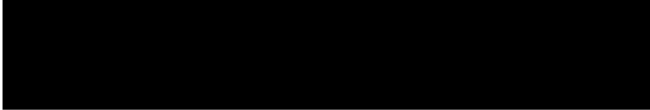
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:Keep the dinosaur

Comments for Planning Application 23/00340/APP

Application Summary

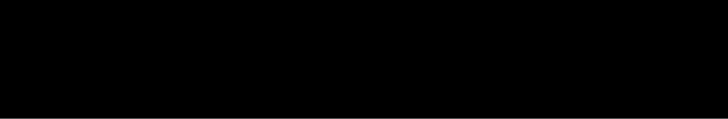
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It's a temporary Installation which brings quirk and cheer. It also showcases the work of a local artist and a local business, which folk need to support or we'll be left with nothing.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Inappropriate materials/finishes
- Lack of landscaping
- Over-development of site
- Poor design

Comment: Spoils the view over the bay, a view which has featured in many photographs over the years. Cullen is a beautiful town, this brings it down

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It looks great and makes the kids happy and most of us smile when we see it. I'd love to see it for a long time

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: What a fuss and carry on about a dinosaur head. I think some of these people think they live in Windsor not Cullen. It is fun and adds a bit of joviality to life. It makes people smile.

Comments for Planning Application 23/00340/APP

Application Summary

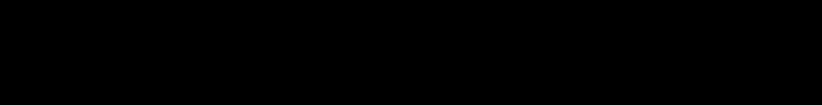
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I see nothing wrong with it The children of the village love it and I'm sure if it is still there and not sold so will the children who visit Cullen in the summer. It brings a bit of light relief.

Comments for Planning Application 23/00340/APP

Application Summary

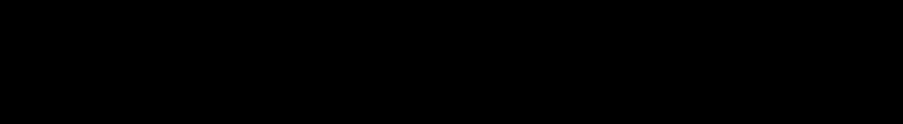
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur head is a fabulous addition to the community. It's full of fun vigour and life. It is a tourist draw. It can only benefit the village.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Doing no harm, good possibility of attracting people to Cullen and the kids like it

Comments for Planning Application 23/00340/APP

Application Summary

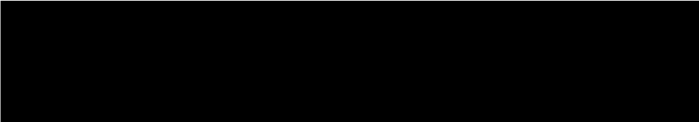
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Fully support it. As a regular visitor to town and passing through it regularly it's a fab quirky site to see, brightens my day. I've had friends visit and want to be taken to Cullen just to see the rooftop T-Rex and ended up spending in local shops, visiting the harbour and beach. It will attract more people to the town and spend their money there.

Comments for Planning Application 23/00340/APP

Application Summary

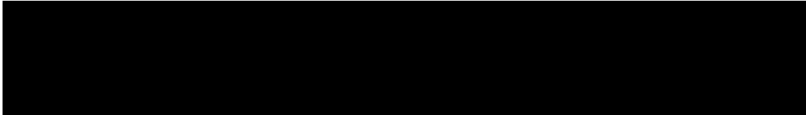
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur head is a quirky addition to an already quirky town. The antique shops all along the main road have points of interest that have nothing to do with "Scottish seaside town living" but are fun and bring unexpected interest.

Comments for Planning Application 23/00340/APP

Application Summary

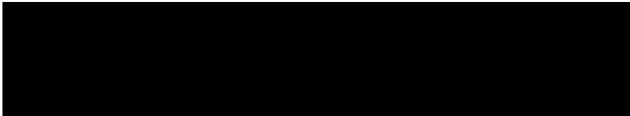
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think it's brilliant

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Inappropriate materials/finishes
- Precedent
- Road safety
- View affected

Comment: I object to Moray Council granting retrospective planning permission for the remarkably horrible excrescence which was installed without permission in an extremely prominent position in Cullen's Conservation Area, the sole purpose of which is I suggest an attempt at advertising by notoriety.

It is clearly contrary to Policy EP9 in the Moray Local Development Plan 2020 and there are no material considerations which indicate otherwise than outright refusal of planning permission.

It is striking that the main photo illustration attached to this Policy covering Conservation Areas in Moray is in fact the very same view of the Seatown of Cullen which is significantly affected by the eyesore, emphasising the importance of this Policy and the weight attached to consideration of the adverse impacts.

Policy EP9 states that 'all development within a Conservation Area must preserve and enhance the established traditional character of the area.' The excrescence degrades and adversely affects the established traditional character of the area.

Policy EP9 states 'New development as well as alterations or other redevelopment will be refused if it adversely affects the character and appearance of the Conservation Area in terms of scale, height, massing, colour, material and siting.' There can be no doubt the excrescence adversely

affects the character and appearance of the Conservation Area.

According I request Moray Council refuse to grant retrospective Planning Permission and issue an enforcement notice to compel the developer to remove the eyesore.

Any other action would lead to setting an unwelcome precedent for inappropriate development in this or any other Conservation Area across the country.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Road safety

Comment: For a conservation area this is a complete eyesore, how can I be made to keep my neighbouring property be in line with the conservation rules but this building is allowed to be in such a rag bag state and eyesore added. There is also the road safety risk the amount of traffic who are watching this instead of the road is shocking, I'm surprised there's not been an accident yet!

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The dinosaur head has been a fun art installation in Cullen for as long as I can remember. I have taken numerous children to see it. I and my family and friends love it.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: This is modern art done by a local artist, it is displayed on private property.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Height of proposed development
- Inappropriate materials/finishes
- Procedures not followed correctly
- Road safety

Comment:

The building is sliding down the hill as can be seen by the brickwork at the back. There is a large crack down one of the gable walls which could collapse on to people or children at any time. The dinosaur is a distraction for drivers especially when approaching from the east. That area is used as a crossing point to go to the seatown, drivers looking at a dinosaur could cause a bad accident. The fact that it is surrounded by conservation areas is just another reason it is in the wrong place. Stick it in a childrens play park.

Comments for Planning Application 23/00340/APP

Application Summary

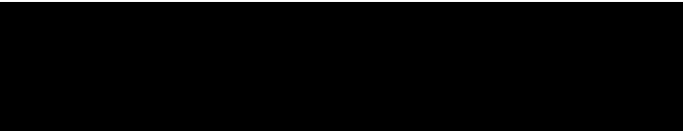
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

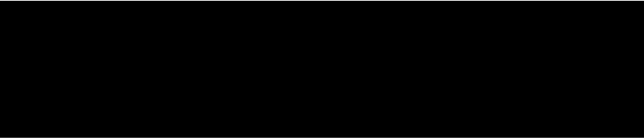
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It stands out and is something kids will love seeing, reminds me a little of the place in Nairn that had the Mini Cooper hanging out one of the walls. If this comes down then so should the dandy lion!

Comments for Planning Application 23/00340/APP

Application Summary

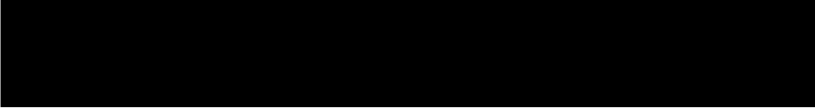
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Legal issues
- Over-development of site
- Poor design
- Procedures not followed correctly
- Road safety
- View affected

Comment: This is a distraction for drivers driving by and losing concentration and is only a matter of time that a serious accident is caused by the horrific structure. It is a busy main road that is full of bends and blind spots and is an easy distraction. Further more there are clear issues in the height of the structure which causes legal issues, no planning or consent was granted which again break planning regulations, view is affected, it doesn't fit in with the scenery, it takes away from the rustic old village scene, it has an inappropriate finish which would be contradictory of the setting and home owners being allowed to paint up whatever they want on their outside walls, etc etc. there are clear legislative violations here that now need to be rectified and put back to the traditional standards. This could end up with court actions.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Inappropriate materials/finishes

Comment: Totally out of keeping in a conservation area

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

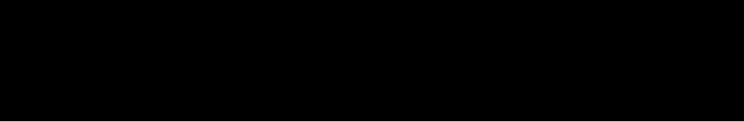
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Personally I don't see anything wrong at all with the trex head. We often drive through Cullen and the kids always looks out for him with a smile on their face.

I can't see the problem with keeping him where he is,

It's a fun quirky addition that's causing no harm.

Comments for Planning Application 23/00340/APP

Application Summary

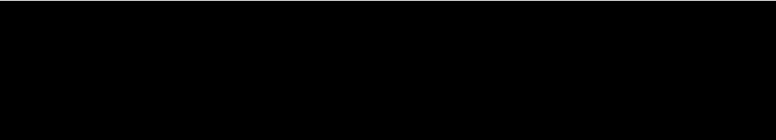
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The t-rex head has been a pleasure to see when driving through Cullen. My children and their friends have been delighted by this addition to the village. The colours are eye catching and it always makes them smile.

Comments for Planning Application 23/00340/APP

Application Summary

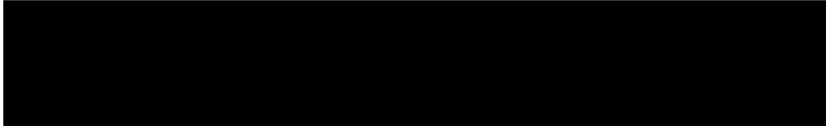
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Adds a bit of fun and as it's in the news draws visitors to the area.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think its a great addition to the already beautiful coastline that Cullen has to offer and a talking point which will bring families with kids from other areas to Cullen to see it which in turn hopefully brings additional revenue to the village

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Cullen not just for adults young children are entitled to enjoy the village and will remember it and talk about it for years and years all over the world as they grow into adulthood.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:It adds something fun and lightheaded to the village.

Received by Email

Retrospective application for installation of dinosaur head to roof of 1 Binview Road
Cullen no. 23/00340/APP

I wish to object strongly to this application and would add the following:

Cullen has been ranked as the best place to visit coming 2nd behind East Devon in
the whole of the Great Britain.

It is well known for its beautiful beach, great walks, golf course, dolphins and
gannets plus a considerable amount of sea life.

This pretty fishing village should surely not be spoiled by a plastic monstrosity
greeting people looking at the wonderful views of the beach and distant mountains.

Please register my objections.

Thank you

[REDACTED]

Comments for Planning Application 23/00340/APP

Application Summary

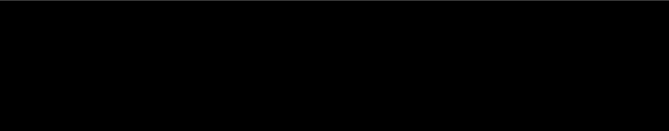
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Poor design
- Precedent
- View affected

Comment: Out of keeping with local area. Spoiling views. Ugly and if consent is granted it would set a precedent for other such eye sores.

Comments for Planning Application 23/00340/APP

Application Summary

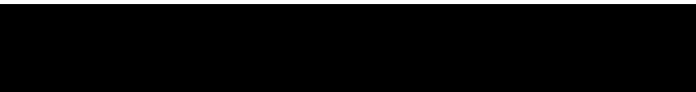
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Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Affecting natural environment
- Contrary to Local Plan
- Height of proposed development
- Inadequate plans
- Inappropriate materials/finishes
- Legal issues
- Over-development of site
- Permitted Development
- Poor design
- Procedures not followed correctly

Comment: If there has been no planning application submitted prior to installation, how come is this still allowed to be up there. It matches nothing in the local area and is in no way, shape or form relevant to the history or heritage within the community. In addition to this, being in an open space on the seaside, I personally see this as an installation that requires in depth risk assessment for when the storms come. The shop is cluttered and seems like a massive fire hazard as it is. The council needs to enforce rules equally for everyone. If I, as a resident want to install antennae over a certain height, I require planning approval and need to take neighbours into consideration. This individual did as he pleased and is so far getting away with it. That's enough for me to object. Keep Cullen clean and tidy for our community, there's enough clutter on our streets as it is.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: If the council would get on with important issues instead of one that brings folk to Cullen. The potholes are a greater issue & a disgrace. Especially beside the church hall. The whole road there needs tarred.

Comments for Planning Application 23/00340/APP

Application Summary

Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

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Customer Details



Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

Comments for Planning Application 23/00340/APP

Application Summary

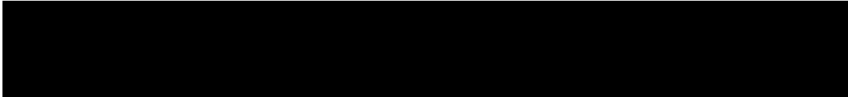
Application Number: 23/00340/APP

Address: 1 Bayview Road Cullen Buckie Moray AB56 4SB

Proposal: Retrospective application for installation of dinosaur head to roof at

Case Officer: Neal MacPherson

Customer Details



Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Procedures not followed correctly

Comment: Put simply, it is an eyesore to the beautiful historic village of Cullen. Only across the road are a street of listed buildings where preservation of history and aesthetics are of utmost importance and this has been erected on the main thorough fair of the village.

It brings no enhancement whatsoever to the pretty village. Please take it down.

Subject: Re 'Dinosaur', Bay View Road, Cullen

Hello,

According to Moray Council website I can raise an objection by sending an e-mail to a planning application

So, I wish to object to this retrospective planning application on the grounds that it is not in keeping with the local area, does not meet the requirements of a conservation area and is unfair to those houses within Seatown who have been unable to make changes to their properties because of the conservation restrictions and it has a negative environmental/scenic impact on the area

I wish this objection to be private please and so not made public

Thank you



REPORT OF HANDLING

| | | | |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------|-------------------------|-----------------|
| Ref No: | 23/00340/APP | Officer: | Neal MacPherson |
| Proposal Description/ Address | Retrospective application for installation of dinosaur head to roof at 1 Bayview Road Cullen Buckie Moray | | |
| Date: | 05/07/2023 | Typist Initials: | DJP |

RECOMMENDATION

| | | |
|-------------------------------------------------------------|--------------------------|----------|
| Approve, without or with condition(s) listed below | N | |
| Refuse, subject to reason(s) listed below | Y | |
| Legal Agreement required e.g. S,75 | N | |
| Notification to Scottish Ministers/Historic Scotland | N | |
| Hearing requirements | Departure | N |
| | Pre-determination | N |

CONSULTATIONS

| Consultee | Date Returned | Summary of Response |
|------------------------|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Transportation Manager | 10/03/23 | No objections |
| Building Standards | June 23 | <p>No building warrant was required for the siting of the dinosaur head. Building standards had discussion with the owner and the owner's solicitor at the time of the initial complaint in May 2022 and were assured that the structure was lightweight, weighed down with sandbags and no structural works were required to the existing building as the structure was adequate to accommodate any increased loadings.</p> <p>This has been monitored by building standards over the period with an officer having periodic checks when in Cullen and no issues have been noted to date.</p> |

DEVELOPMENT PLAN POLICY

| Policies | Dep | Any Comments (or refer to Observations below) |
|-----------------------------------|------------|------------------------------------------------------|
| NPF7 - Historic assets and places | Y | |
| NPF14 - Design, quality and place | Y | |
| PP1 Placemaking | N | |
| DP1 Development Principles | Y | |

| | | |
|------------------------|---|--|
| EP9 Conservation Areas | Y | |
|------------------------|---|--|

| |
|------------------------|
| REPRESENTATIONS |
|------------------------|

| | | |
|--------------------------|-----|--|
| Representations Received | YES | |
|--------------------------|-----|--|

Total number of representations received: 115 (62 objections and 53 in support)

Names/Addresses of parties submitting representations

Name and address details of parties submitting representations withheld in accordance with the General Data Protection Regulations.

Summary and Assessment of main issues raised by representations

Before referring to specific representations, it is noted that those making objections have selected headings from the online bullet point list of possible issues identified with the e-planning portal. Many have gone on to make specific representations (summarised below) but no explanation of the bullets points selected is given for some of the bullet points selected.

- Inappropriate materials/finishes
- View affected
- Affecting natural environment
- Poor design
- Road Safety
- Contrary to local plan
- Legal issues
- Height of proposed development
- Inadequate plans
- Parking
- Lack of landscaping
- Procedures not followed correctly

Issue: The development is very 'unsightly', 'tacky', 'an eyesore' and a visual blight upon the conservation area and village. It is has been in situ too long already and has no relevance or bearing to the location is it located in.

Comments (PO): Noted, this is reflected in the decision and observations below. The incongruous nature of the dinosaur head to the location is discussed in the Observations section below. It is acknowledged that the time taken to allow the building owner to apply in retrospect and time taken to deal with the application has resulted in the dinosaur being in place for over a year.

Issue: The development is not in keeping with the area, and detracts from views across the Cullen seatown, the green space and viaduct, which are all part of the conservation area. There are a number of heritage assets and listed buildings within proximity of the dinosaur head. The village is renowned a beautiful coastal village and the dinosaur head detracts from this. Scottish government guidance and Moray Council guidance exist to steer what development should seek to comply with in Conservation areas. The proposal it at odds with the Cullen Conservation Area Appraisal.

Comments (PO): Noted. See observations section. The departures from national and local planning policy are discussed.

Issue: It is understood the applicant is also responsible for the illegally parked vintage truck which has been using up a parking space on Seafield Street for a long time. The building itself is in a poor state of repair.

Comments (PO): These matters are not pertinent to the current planning application which relates

solely to the dinosaur head at 1 Bayview Road.

Issue: The dinosaur head creates a distraction to drivers to the detriment of road safety, especially near the blind corner. The dinosaur head is also an accident waiting to happen, where in its exposed location it may well blow off the roof onto the adjoin street.

Comments (PO): The transportation manager has not raised any objections to the proposed development. It is speculative to presume that the dinosaur head would blow off the building. It is significantly weighted down.

Issue: Others in the village have to abide to measures in place to safeguard and protect the conservation area, such as using traditional window, certain colours of paint used etc. The applicant should be made to do likewise at this location.

Comments (PO): Noted.

Issue: The impact is exacerbated by being illuminated at night, and this contributes to the incongruous nature of the development.

Comments (PO): Noted. Its incongruous nature forms part of the refusal grounds.

Issue: Some people find its presence comical, but it detracts from the surrounding area. Maybe appropriate in a theme park or carnival float, but not in a scenic coastal village.

Comments (PO): Noted.

Issue: Concern that allowing this to remain in situ would set the precedent for others to do the same.

Comments (PO): Each application would be assessed on its individual merits, and any similar developments would be assess on their need for planning permission and acceptability.

Issue: As the applicant erected the dinosaur head without obtaining permission first, it would be removed.

Comment (PO): The planning process is not punitive, and whether or not development is retrospective it still has to be assessed solely on its planning merits. Legislation has now changed however such that retrospective planning application fees are 25% higher than normal planning fees to deter retrospective planning applications.

Issue: It should be moved to a children playpark.

Comment (PO): The current application only considers whether it should remain on top of these premises.

COMMENTS MADE IN SUPPORT OF THE DEVELOPMENT

Issue: The development enhances the building upon which it is located, which stand by itself already and is not close to any houses, nor block anyones view.

Comments (PO): It is not considered that the dinosaur head enhances the building.

Issue: The dinosaur head is fun, brings joy, amusement and smile to those who pass it. Children in particular gain enjoyment from seeing the dinosaur head. The village is not just for adults and the dinosaur head makes children remember the place.

| |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Comments (PO): While the novelty element of the dinosaur head is acknowledged is inappropriately located within the conservation area.</p> |
| <p>Issue: The development causes no harm to anyone or the surroundings and should be allowed to remain. It has become a talking point and an attraction bringing more people to the village who spend more in the local economy.</p> <p>Comments (PO): The development is considered to detract from the Cullen conservation area, and is incongruous to the traditional appearance, material and character of the conservation area.</p> |
| <p>Issue: The dinosaur head is an added tourist attraction to the village and should not be taken too seriously.</p> <p>Comments (PO): The dinosaur head constituting development requires to be regulated under the planning process. Within this policies seek only to permit development that preserved and enhances the conservation area; as the development fails to do this, is has to be refused.</p> |
| <p>Issue: While not to everyone's taste, it does not warrant the level of objection or criticism occurring from some in the community.</p> <p>Comments (PO): Those making representations for or against the development are entitled to do so.</p> |
| <p>Issue: Similar quirky unique features such as the 'Headington Shark' in Oxford which was permitted to remain by a Planning Inspector, despite the local authority's concerns of setting a precedent, with the inspector noting: "In the five years since the shark was erected, no other examples have occurred... any system of control must make some small place for the dynamic, the unexpected, the downright quirky. I therefore recommend that the Headington Shark be allowed to remain." Others features such as the wall mounted mini cooper in Nairn or the Dandylion in Elgin have brought about similar appeal. If the dinosaur head comes down, then so should be dandylion.</p> <p>Comments (PO): Such unique developments are to be assessed in their individual merits and against the relevant planning policies. The current proposal unlike the shark lies within a conservation area, where build heritage is to be preserved.</p> |
| <p>Issue: The head may also be an attractive place for the nesting of birds, which would constitute a localised biodiversity net-gain, in accordance with Policy 3 of NPF4.</p> <p>Comments (PO): The visually detrimental impact of the development outweighs unlikely biodiversity gain.</p> |
| <p>Issue: The development would not set a precedent and should be granted permission or even temporary permission.</p> <p>Comments (PO): Whilst it is understood that the dinosaur head is for sale, the applicant has not sought temporary permission. The application must therefore be determined upon the basis that permanent permission is sought.</p> |
| <p>Issue: There are more pressing issues to be dealt with in Cullen like potholes than this matter.</p> <p>Comments (PO): This planning application requires to be determined, and roads maintenance matters are a separate function of the Council, which is both Roads Authority and Planning Authority.</p> |

OBSERVATIONS – ASSESSMENT OF PROPOSAL

Section 25 of the 1997 Act as amended requires applications to be determined in accordance with the Development Plan i.e. the adopted National Planning Framework 4 (NPF4) and Moral Local Development Plan 2020 (MLDP) unless material considerations indicate otherwise.

The main planning issues are considered below:

Proposal and location

- At 2.12m in height and 1.6m wide it is understood that the fibreglass dinosaur head is not fixed to the building, but is weighted down with sand/gravel bags so as to prevent it from blowing off the roof.
- It is also illuminated in the evenings (in hours of darkness) internally.
- The head sits facing southward onto Bayview Road and sits with Cullen Conservation Area. The dinosaur head sits on top of a flat roofed building which is currently used as an antiques/curios sales premises and the dinosaur is being marked for sale as part of the business.
- The development also faces toward the B-listed former railway viaduct, which sits immediately to the south. Other heritage assets such as the harbour, Castle Hill lies in relatively close proximity to the development.

Background

The dinosaur head has been in situ for some time now, as the applicant did not seek confirmation as to whether permission was required. As the purpose of the dinosaur head was to draw attention to the antique and curios business upon which it was set, it constitutes 'operational development' not benefiting from permitted development rights.

As part of the agreed process of planning enforcement, the property owner exercised their right to try and regulate the development via submission of a planning application. Planning guidance states that no enforcement action should be considered while a planning application is under consideration and a determination has been made, as the outcome may negate the need for action in the event the development is found to be acceptable.

Principle of the development (NPF4- 7, 14 and MLDP PP1, DP1 and EP9)

NPF4 Policy 7 Historic assets and places states in Section d) that "Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced." Furthermore within d) the considerations include consider the context and siting, quality of design and suitable materials.

NPF Policy 14 Design, quality and place seeks to ensure development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Section d) of policy 14 also states that "Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported." This policy relates to all development within or beyond heritage designations.

MLDP Policy PP1 Placemaking seeks to make distinctive places and support economic development amongst other requirements.

MLDP policy DP1 Development Principles states the scale, density and character must be appropriate to the surrounding area.

MLDP policy EP9 Conservation Areas also requires development within a conservation area to preserve and enhance the established traditional character or appearance.

A consistent theme from all the relevant policies above is the principle that development should at

least preserve the built character of a conservation area, and should be sensitively designed so as not to diminish the quality of the conservation area.

It is noted that the development has been locally divisive, with 62 objections and 53 representations expressing varying degrees of support for the dinosaur head. Whilst there is an element of novelty about the matter, and it is not considered to constitute a hazardous distraction to drivers, it does nevertheless detract from the quality of the Cullen Conservation Area.

Such a development may be acceptable in the right location, where it existed within the context of a theme park or adventure playground, but upon an antiques business within the coastal conservation area is less fitting. While it is noted that it has been marked for sale and sits above the existing and antiques business, it has no context or precedent to substantiate its presence in this location. The dinosaur head appears out of context in this location and does not enhance the conservation area.

As by way of context the Council as planning authority has in the past for other development insisted on good quality, locally material and designs to buildings and other development in the conservation area. It would therefore be inappropriate to detract from the efforts to maintain and enhance the conservation area by permitting the retention of an incongruous fibreglass dinosaur head within a prominent position within the conservation area. Whilst being an unusual object, this does not in itself make it incongruous. Its prominent location, the fact that it is illuminated when dark and it lacks relevance/context contribute to it being unacceptable in this location.

Whilst the focus of concerns is upon the impact upon conservation area at large, it is noted that there are a number of heritage assets and listed buildings in the vicinity. Negative impacts upon the specific setting of heritage assets is less easy to attribute to development of the scale presented by the dinosaur head, and therefore no specific grounds for refusal is being made on this basis.

MLDP Policy PP1 Placemaking does seek to ensure development creates a sense of identity and distinctiveness that prevents localities from appearing homogenous. Whilst the dinosaur head achieves this not quite in the way envisaged, it has to be acknowledged as per the many supporting representations that the development is unique and draws attention at this section of the A98. Whether it has an economic benefit in drawing more visitors to Cullen, thereby benefiting the local economy is questionable, as it may also detract from the quality of the conservation area, which is also a draw for visitors. In either scenario, its likely economic impact is very minimal.

It is noted that the Transportation Manager was specifically asked if the development constituted an unacceptable distraction or driver hazard. They confirmed that this was not the case. It also noted, that as the dinosaur head is weighted down, rather than being physically attached to the building, no building warrant was required.

Conclusion

For the reasons detailed above the application is to be refused and following this decision, matters will be progressed to see the dinosaur removed from the site.

| |
|---------------------------------------------------------|
| OTHER MATERIAL CONSIDERATIONS TAKEN INTO ACCOUNT |
|---------------------------------------------------------|

None

| HISTORY | |
|----------------------|--------------------|
| Reference No. | Description |
| | |

| | | | | |
|--|-----------------|--|-------------------------|--|
| | Decision | | Date Of Decision | |
|--|-----------------|--|-------------------------|--|

| | | |
|----------------------------------|----------------------------------------------------------------------------|-----------------------|
| ADVERT | | |
| Advert Fee paid? | Yes | |
| Local Newspaper | Reason for Advert | Date of expiry |
| Banffshire Advertiser and Herald | Departure from development plan Planning application affecting LB/CA | 03/04/23 |
| PINS | Departure from development plan Planning application affecting LB/CA | 03/04/23 |

| | |
|--------------------------------------|------------|
| DEVELOPER CONTRIBUTIONS (PGU) | |
| Status | N/A |

| | | |
|-----------------------------------------------------------------------------------------------------------------------------------------|--|----|
| DOCUMENTS, ASSESSMENTS etc. * | | |
| <i>* Includes Environmental Statement, Appropriate Assessment, Design Statement, Design and Access Statement, RIA, TA, NIA, FRA etc</i> | | |
| Supporting information submitted with application? | | NO |
| Summary of main issues raised in each statement/assessment/report | | |
| Document Name: | | |
| Main Issues: | | |

| | | |
|------------------------------------------------------------|--|----|
| S.75 AGREEMENT | | |
| Application subject to S.75 Agreement | | NO |
| Summary of terms of agreement: | | |
| Location where terms or summary of terms can be inspected: | | |

| DIRECTION(S) MADE BY SCOTTISH MINISTERS (under DMR2008 Regs) | | | |
|---------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|--|----|
| Section 30 | Relating to EIA | | NO |
| Section 31 | Requiring planning authority to provide information and restrict grant of planning permission | | NO |
| Section 32 | Requiring planning authority to consider the imposition of planning conditions | | NO |
| Summary of Direction(s) | | | |



**MORAY COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997,
as amended**

REFUSAL OF PLANNING PERMISSION

**[Keith And Cullen]
Application for Planning Permission**

TO



With reference to your application for planning permission under the above mentioned Act, the Council in exercise of their powers under the said Act, have decided to **REFUSE** your application for the following development:-

Retrospective application for installation of dinosaur head to roof at 1 Bayview Road Cullen Buckie Moray

and for the reason(s) set out in the attached schedule.

Date of Notice: **5 July 2023**



HEAD OF ECONOMIC GROWTH AND DEVELOPMENT

Economy, Environment and Finance
Moray Council
Council Office
High Street
ELGIN
Moray
IV30 1BX

IMPORTANT
YOUR ATTENTION IS DRAWN TO THE REASONS and NOTES BELOW

SCHEDULE OF REASON(S) FOR REFUSAL

By this Notice, Moray Council has REFUSED this proposal. The Council's reason(s) for this decision are as follows: -

The proposal is contrary to National Planning Framework 4 policy 7 and 14, Moray Local Development Plan 2020 policies DP1 and EP9 where it would detract rather than enhance the conservation area. The dinosaur head would be incongruous to the traditional appearance, materials and character of the conservation area.

LIST OF PLANS AND DRAWINGS SHOWING THE DEVELOPMENT

The following plans and drawings form part of the decision:-

| Reference | Version | Title |
|------------|---------|------------------------|
| 020/975/01 | | Site and location plan |
| 020/975/03 | | Proposed elevations |

NOTICE OF APPEAL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to The Clerk, Moray Council Local Review Body, Legal and Committee Services, Council Offices, High Street, Elgin IV30 1BX. This form is also available and can be submitted online or downloaded from www.eplanning.scotland.gov.uk

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



APPENDIX 2

NOTICE OF REVIEW, GROUNDS FOR REVIEW & SUPPORTING DOCUMENTS

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

| 1. Applicant's Details | | 2. Agent's Details (if any) | |
|---------------------------------------------------|------------------------------------------------------------------------|-----------------------------|---------------------|
| Title | | Ref No. | 23/00340/APP |
| Forename | | Forename | |
| Surname | | Surname | |
| Company Name | Cullen Antiques Centre | Company Name | Grant and Geoghegan |
| Building No./Name | | Building No./Name | Grant Lodge |
| Address Line 1 | Seafield Street | Address Line 1 | Birnie |
| Address Line 2 | | Address Line 2 | |
| Town/City | Cullen | Town/City | Elgin |
| Postcode | AB56 4SG | Postcode | IV30 8SW |
| Telephone | 01343556644 | Telephone | 01343556644 |
| Mobile | | Mobile | |
| Fax | | Fax | |
| Email | enquiries@ggmail.co.uk | Email | neil@ggmail.co.uk |
| 3. Application Details | | | |
| Planning authority | Moray Council | | |
| Planning authority's application reference number | 23/00340/APP | | |
| Site address | 1 Bayview Road Cullen Buckie Moray AB56 4SB | | |
| Description of proposed development | Retrospective application for installation of dinosaur head to roof at | | |

Date of application

27/2/23

Date of decision (if any)

5/7/23

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. **Note:** you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Grounds of appeal provided in separate document

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Grounds of appeal attached

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

grant & geoghegan ltd.

Chartered Planning Development and Architectural Consultants

Grant lodge, Birnie, Elgin

T: 01343 556644

E: enquiries@ggmail.co.uk

Grounds of Appeal

23/00340/APP - 1 Bayview Road, Cullen, Moray

Issue Date:

29th September 2023

CONTENTS

1.0. Introduction

2.0. The Proposal

3.0. Reason for Refusal

4.0. Grounds of Appeal

5.0. Conclusion

1.0 Introduction

These grounds for review of a decision to refuse retrospective planning permission for the installation of a dinosaur head to the roof of 1 Bayview Road, Cullen are submitted under section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended). This notice of review has been lodged within the prescribed three-month period from the refusal of permission dated the 5th of July 2023.

In this context, the appeal statement responds to the reason for the refusal and addresses the proposal in relation to Development Plan Policies and relevant material planning considerations as required by Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2.0 The Proposal

The proposal seeks retrospective planning permission for a dinosaur head on the roof of 1 Bayview Road, Cullen. The premises currently operates as an antique business with a wide variety of interesting artefacts from all over the world. The dinosaur head reflects this unique offering, itself being for sale.



View of dinosaur head on roof of 1 Bayview Road, Cullen from the southeast

3.0 Reasons for Refusal

The application under reference 23/00340/APP was refused under the Council's Scheme of Delegation by the case officer on the 5th of July 2023. The reason for refusal states that: -

The proposal is contrary to National Planning Framework 4 policy 7 and 14, Moray Local Development Plan 2020 policies DP1 and EP9 where it would detract rather than enhance the conservation area. The dinosaur head would be incongruous to the traditional appearance, materials and character of the conservation area.

It is the appellants view that the reasons for refusal presented in the decision notice are unsubstantiated and are clearly outweighed by weighty public benefits. Further, the appellant is confident that the refusal of planning permission will not withstand the scrutiny of Members.

4.0 Grounds of Appeal

The appellant understands the proposals will be considered afresh by Members following the assessment and recommendations of the appointed officer. At the outset however, the appellant wishes Members to note that during the course of the planning application the professional technical assessment of Moray Council's Roads Authority is that the dinosaur head does not pose a risk to road safety.

In addition, the structure has been inspected by the Building Standards Service who have confirmed that it does not pose a risk to public safety. As such, the appointed Officer did not include the matter of road/ public safety in the reason for refusal. In this context, it is understood that the physical land use principle of development in this case rests with the impact of the structure on the character and appearance of the Cullen Conservation Area.

In a planning policy context, policy 7 of NPF4 contains the criteria necessary to assess the proposals. It seeks to *'protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places'*. The specific test in this policy for the proposals at hand is contained in part (d) which states that *'development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and setting is preserved or enhanced'*. The policy then goes on to set out 3 key considerations which will form the basis for these grounds of appeal.

Architectural and historic character of the area

The Cullen Conservation Area is divided into two-character areas, Seatown, the character of which is very much determined by the early development of Cullen as a small fishing village and the historic buildings and informal street pattern reflect this. The second area is known as the Planned Town- developed later on in the 19th century, it gets its name due to the planned nature of the grid iron street pattern and uniform plot sizes. This area is characterised by a mixture of building types which all front the pavement, providing a strong building line.

The premises at 1 Bayview Road is at the confluence of these two areas, exhibiting characteristics more akin to the character and appearance of the Planned Town, rather than Seatown, given it has direct frontage on to the pavement, although Members will note that the building itself is not of any particular architectural merit in its context and consequently does not make a positive contribution to the special character and appearance of the conservation area as a whole. However, the building is well separated from any of the many listed buildings in Cullen and does not impact on the setting of these buildings in any significant way.

In this context, the host building is read as compositionally separate to the distinct urban form of both character areas of the Cullen conservation area and key buildings/ structures ensuring that the setting of the conservation area is preserved.

Existing density, built form and layout

The dinosaur head is an addition to an existing building so the proposal will not have any effect on existing density, built form or layout. This specific policy test is not thought to be relevant to the proposals.

Context and siting, quality of design and suitable materials

The Outlet is a well-established, colourful business which often provides interesting pieces at the roadside. This approach is generally well received by the community of Cullen and visitors as it creates interest and draws attention to the village, positively.

In this context, the dinosaur head is entirely appropriate in this location. The dinosaur head has been purposefully designed to have a complimentary, familial relationship with the existing business, reimagining and enhancing its role as part of the wider area. The appellant submits that it succeeds in doing so and that is demonstrated by increased footfall to the premises since it was erected.

Further, the appellant, a renowned art expert, respectfully submits that the dinosaur head represents high quality design and is constructed from a suitable material. The purpose of art is to move us emotionally, so essentially, if you are looking at a good work of art you will feel an emotion. You can feel aesthetic pleasure, be inspired or disgusted, curious or angry. Whatever emotions a person experiences, if the artwork moved you, it is a good thing. This is demonstrated by the level of interest in the planning application- 115 representations were made by members of the public in relation to the proposal, 62 objections and 53 representations in support of the project.

The appellant's view is straightforward, the proposed development, by virtue of its height, form, design and appearance constitutes the very highest quality of design and is entirely appropriate when its context as part of the existing business is fully considered. The high quality of design exhibited ensures it is not detrimental to the character and composition of any key heritage asset.

5.0 Conclusion

Members will note that it is extremely rare for 53 letters of support to be received in response to any application- the general nature of the planning process is that most people's interaction with the system is to object to development proposals. It is rare to receive positive comment on proposals because the positive case is usually made by the applicants in their submissions and if the general public agree, the normal reaction is not to object rather than spend time writing a letter of support. In this context, 53 letters of support is a significant material consideration which requires Members to give serious thought to the consideration of this proposal.

The appellant considers that the reason for refusal overstates the effect of the dinosaur head on the setting of the conservation area. It may not be to everyone's taste but that is not relevant to the consideration of the physical land use principle of development. The appellant considers the proposal to be in full accordance with policy 7 and of NPF4 thereby policy 14 of NPF4 and Moray Local Development Plan policies PP1, DP1 and EP9.

In conclusion, the material weight contained within these grounds of appeal demonstrates that the proposed development is justified in its own right in heritage, townscape, design, amenity and planning terms and in this context, the appellants respectfully submits that planning permission should be granted.



APPENDIX 3

FURTHER REPRESENTATIONS FROM INTERESTED PARTIES

[REDACTED]

From: [REDACTED]
Sent: 18 October 2023 16:28
To: [REDACTED]
Subject: Re: Planning Application 23/00340/APP - 1 Bayview Road, Cullen

Warning. This email contains web links and originates from outside of the Moray Council network. You should only click on these links if you are certain that the email is genuine and the content is safe.

Good Afternoon,

Thank you for your email.

I stand by what I have already mentioned in my objection.

This is an eyesore and detracts from the natural beauty of Cullen.

I appreciate what the owner has tried to suggest that the dinosaur head has invoked various emotions but this does not provide sufficient evidence that the head is an artefact.

The owner suggests that footfall into his shop has increased, please provide evidence. Cullen is a busy village and has always attracted many, many tourists, from near and far, due to its natural beauty!

Cullen is a historic village, when you drive or walk through the town and pass under the viaducts, the last thing you wish to see marring your beautiful outlook across the bay is a dinosaur head, regardless of make, composition etc. It is not historical and not in keeping with Cullen's heritage.

Yours faithfully

[REDACTED]

On 18 Oct 2023, at 16:45, [REDACTED] wrote:

Good afternoon

Please find attached notification of a review of the above planning application.

If you have any further representations to make please have these to us by 1 November 2023.

Regards

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From:
Sent:
To:
Subject:

[REDACTED]
19 October 2023 12:05
[REDACTED]
Re: Planning Application 23/00340/APP - 1 Bayview Road, Cullen

Warning. This email contains web links and originates from outside of the Moray Council network. You should only click on these links if you are certain that the email is genuine and the content is safe.

Hello Lindsay,

I thought there might be a retrospective planning application submitted for this monstrosity! It shows the complete arrogance of the applicant that he can disregard planning regulations in the first place and then apply for retrospective planning.

If this is granted it will be open to abuse and shows a lack of respect for the Council Planning Department and to other applicants who **do** follow the Council guidelines and apply in the correct order.

Cullen is an area of natural beauty where locals and visitors to the area, (much needed for the local economy) appreciate this beauty. The ghastly Dinosaur structure detracts from this and it overlooks the Seatown, which is a Conservation area.

If children want to see Dinosaurs, they can travel a few miles down the road to Landmark at Carrbridge. The actual structure on which it is erected is in a dreadful state of repair and with the predicted storms and severe weather warnings we are currently receiving, this could be a danger to life should it topple from the building. I am quite sure it devalues the residential property nearby who have to look out on this on a daily basis and when lit up at night it is not a pretty sight.

I do hope common sense prevails and the Council listen to the views of the residents who pay Council Tax and wish this awful structure removed.

Sincerely,

[REDACTED]
Sent from my iPad

On 18 Oct 2023, at 13:55, [REDACTED] wrote:

Good afternoon

Please find attached notification of a review of the above planning application.

If you have any further representations to make please have these to us by 1 November 2023.

Regards

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

From: [REDACTED]
Sent: 25 October 2023 19:46
To: [REDACTED]
Subject: LMR/LR294 - Dinosaur Head objection

Good Morning,

This letter is in response to the Dinosaur Head on the roof of 1 Bayview Road, Cullen.

I also however wish my previous objections on the matter to be taken into consideration.

It's disappointing when we go to look at our previous objections, and others objections and comments, on the previous application 23/00340/app that we cannot view our or others previous comments as part of the objection process for this LR294 submission.

1. The property in question is in Cullen conservation area. It's on the councils own map of conservation area parts of Cullen. May I point out the councils own controls in this, listed on Moray council website, which clearly says - "minor works such as, window and door replacement, external painting, erection of fences etc" requires planning permission.

This is interesting, as the property in question not only put a huge fibreglass dinosaur (which has no historical significance to the area) on its roof, the guy then decided to paint a huge lobster on the side of the wall. And I suspect that painting hasn't had planning authorisation either, and your controls say it should have too... After an application assessment by the Council, which determined the dinosaur head should be removed as retrospective application to keep it there refused, now we find ourselves back in this situation again with someone who very clearly doesn't feel rules apply to him.

Well, if this is acceptable, don't be surprised if everyone starts painting windows and changing them to styles to suit themselves, as we can't have 1 rule for some and not for others, so why should the rest of us not also please ourselves? Then let's see what the conservation area ends up looking like.

Please let's just be sensible here and say "no, conservation means conservation, and rules are made to be followed not broken", and tell this guy to take this thing down.

2. There are cracks on the walls of this building, this structure is held down with sandbags, which you can see from the street behind it, so must be a lot of sandbags piled high. Has the building roof been assessed for safety of taking this clearly very heavy thing - has additional internal roof support beams been installed, if so why hasn't external wall structure cracks been repaired ? Customers will be in this shop, it may be deteriorating the roof structural rigidity, particularly after things like Storm Babet hitting it, that could cause deterioration of the roof, or damage to the dinosaur head, which could break off (this location is in an exposed to sea/elements site, on the main road) and as such could easily cause an accident.

3. Traffic Distraction - this head now has lighting to highlight it at night. If you are travelling north on the A98, downhill on the Main Street, you turn left and this building is immediately in front of you. It catches your eye that the dinosaur head is illuminated now, right after a steep downhill bend, on a corner. Do we feel that distraction to motorists at night is beneficial to their concentration ? Cullen is a place where we have previously requested and not had granted a pedestrian crossing (anywhere in the village / town) there isn't an authorised crossing anywhere. Is having additional distractions for drivers in the darkness hours after a sharp corner of the dinosaur head likely to be beneficial to any pedestrians crossing, as one of the main pedestrian pathways to the Seatown area of Cullen is right next to this building.

Regards
[REDACTED]

Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 28 October 2023 15:38
To: [REDACTED]
Cc: [REDACTED]
Subject: Dinosaur Head Cullen

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms Robinson,

NOR Planning Application 23/00340/APP
Dinosaur Head at 1 Bayview Road Cullen

Thank you for the opportunity of further comment on the appeal grounds for the dinosaur head. Ever since 1917 when Marcel Duchamp exhibited a urinal and called it 'Fountain', any piece of art could be called art. Any imagined artistic merit of the dinosaur head is irrelevant. The presence of it contravenes the planning conditions as already decided. As to the public response generated, any orchestrated media campaign creates a heightened level of engagement.

Were the Council to allow this appeal, the precedent then set would render the planning process for any extension, outcrop or alteration in the designated conservation area completely redundant.

Yours sincerely

[REDACTED]