

**THE MORAY COUNCIL**

**MINUTES OF THE THREE MEETINGS OF THE LOCAL REVIEW BODY**

**THURSDAY 22 APRIL 2010**

**COUNCIL OFFICE, ELGIN**

**(b) REQUESTS FOR REVIEW : WARD 2 : KEITH & CULLEN**

**PRESENT**

Councillors D Ross (Chair), J MacKay and P Paul.

**IN ATTENDANCE**

R Gunn, Acting Principal Solicitor (Litigation & Licensing) Legal Adviser, M Cross, Principal Planning Officer (Planning & Development) Planning Adviser, V Valiente, Solicitor and the Senior Committee Services Officer, Clerk to the meeting.

**CASE 005**

**PLANNING APPLICATION 09/01961/PPP : PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF A NEW DWELLINGHOUSE ON A SITE AT GROALPANS GLEN OF NEWMILL KEITH**

Under reference to Paragraph (c) of the Minute of the meeting of the Local Review Body (LRB) dated 24 March 2010 there was submitted a set of replacement papers in respect of a request from the applicant, Mr D Jenkinson, seeking a review of the decision of the Appointed Officer, in terms of the Scheme of Delegation, to refuse planning permission in principle for the erection of a new dwellinghouse on a site at Groalpan, Glen of Newmill, Keith.

In regard to the ordinance survey maps submitted by the applicant, in support of the request for review, the Legal & Planning Advisers, were of the view that whilst not before the Appointed Officer at the time of determination of the application the Appointed Officer would have been aware of the topography of the surrounding area and therefore the submission of these maps were not considered to be new evidence, in terms of Section 43(B) of the Planning etc. (Scotland) Act 2006 although the applicant had indicated that new evidence had been submitted. This advice was accepted by the LRB.

Following consideration the LRB agreed that there was insufficient information in order to proceed to determine the request for review and agreed that an unaccompanied site inspection be undertaken, the purpose of which being to view the site in the context of Policy H8 of the Moray Local Plan 2008. The LRB requested the Planning Adviser to attend the site inspection.