

NOTICE OF REVIEW

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

The Town and Country Planning (Schemes Delegation and Local Review Procedure) (SCOTLAND) Regulations 2008

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2008

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://eplanning.scotland.gov.uk>

1. Applicant's Details

Title	Ms
Forename	TERESA
Surname	BALDWIN
Company Name	—
Building No./Name	11
Address Line 1	NORTH STREET
Address Line 2	BISHOPMILL
Town/City	ELGIN
Postcode	IV30 4EQ
Telephone	
Mobile	
Fax	—
Email	

2. Agent's Details (if any)

Ref No.	TF2942
Forename	ALASTAIR
Surname	RENNIE
Company Name	RTC TIMBER SYSTEMS
Building No./Name	MOYCROFT HOUSE
Address Line 1	MOYCROFT
Address Line 2	
Town/City	ELGIN
Postcode	IV30 1XZ
Telephone	01343 547474
Mobile	
Fax	01343 547990
Email	alastair.rennie@rtcts.co.uk

3. Application Details

Planning authority	MORAY COUNCIL
Planning authority's application reference number	10/01214/APP

Site address

REAR OF 11, NORTH STREET, BISHOPMILL, ELGIN

Description of proposed development

ERECTION OF DWELLING HOUSE

Date of application

09/07/2010

Date of decision (if any)

17/01/2011

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.

IT IS THE VIEW OF THE APPLICANT THAT THE REASONS FOR REFUSAL ARE NOT JUSTIFIED IN TERMS OF THE ACTUAL DEVELOPMENT IN REGARDS TO THIS SITE.

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:

IT WOULD IN OUR APPLICANTS OPINION TO EXPLAIN
REASONS FOR APPEAL TO THOSE MAKING THE DECISION.

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.

PLEASE SEE ATTACHED 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 you 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

SHEET 1 - REASONS FOR APPEAL.

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.

Signature:

[Redacted Signature]

Name:

ALISTAR REVNIE

Date:

1/04/2011

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.

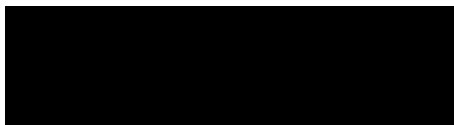
Planning Appeal – Land to Rear of 11 North Street, Elgin-

Local Review Submission- Planning Reference – 10/01214/APP

Reasons for Appeal

- No objections have been received from adjoining properties which clearly suggests that there are no issues on loss of amenity as regards the adjoining proprietors
- All issues regarding vehicular access have been satisfied with the Roads Department and the proposals allow for the adjoining householder to have a vehicular/ disabled access into their garden thereby increasing the amenity of that property. 2 Parking spaces are provided in the proposals
- Whilst the plot is below the size recommended within the local plan it is noted there are examples of small plots having been developed within the area and the application would be in keeping within the compact nature of the area and its architecture
- The applicants are building a low energy house which is in line with Government policies on producing low carbon housing and by its more expensive build cost requires modest low cost land costs.
- The applicants are applying for a home for themselves and this is not a speculative development and the applicant seeks to produce a high quality end product.
- The existing house will still have reasonable rear garden space very much in keeping with the housing style of the area.
- The applicants would be willing to forego Permitted development rights as a condition of the Planning consent to limit any further development of both the existing house and application site

Signed

A black rectangular box redacting the signature of Alastair Rennie.

Alastair Rennie
RTC Timber Systems 01/04/2011