



The Scottish Government Directorate for Planning and Environmental Appeals

Appeals cannot be validated until all necessary documentation has been submitted.

Thank you for completing this appeal form:

ONLINE REFERENCE 000039456-001

The online ref number is the unique reference for your online form only. The Directorate for Planning and Environmental Appeals will allocate an Appeal Number when your form is validated. Please quote this reference if you need to contact the Directorate for Planning and Environmental Appeals about this appeal.

Appellant or Agent Details

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

☐ Appellant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Wittets Ltd
Ref. Number:	
First Name: *	Stephen
Last Name: *	Gauld
Telephone Number: *	01343 543237
Extension Number:	
Mobile Number:	
Fax Number:	01343 540542
Email Address: *	info@wittets.co.uk

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	26
Address 1 (Street): *	Hay Street
Address 2:	
Town/City: *	Elgin
Country: *	UK
Postcode: *	IV30 1NQ

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

☒ Individual ☐ Organisation/Corporate entity

Appellant Details

Please enter Appellant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="Donald"/>
Last Name: *	<input type="text" value="Ross"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Sunninghill Hotel"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Hay Street"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Elgin"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="IV30 1NQ"/>

Site Address Details

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

Address 1:	<input type="text" value="HEATHER LODGE FLAT"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="TYTLER STREET"/>	Town/City/Settlement:	<input type="text" value="FORRES"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="IV36 1EL"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="858808"/>	Easting	<input type="text" value="303130"/>
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Description of Proposal

Please provide a description of your proposal. The description should be the same as given in the application form, or as amended (with the agreement of the planning authority): *
(Max 500 characters)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for Planning Permission (including householder application – excluding application to work minerals).
- ☐ Application for Certificate of Lawfulness.
- ☐ Application for Listed Building Consent.
- ☐ Application for Conservation Area Consent.
- ☐ Application for Advertisement Consent.
- ☐ Application for Prior Approval.
- ☐ Application for Tree Works Consent.
- ☐ Application for Certificate of Appropriate Alternative Development.
- ☐ Application for Planning Permission to work minerals.

What type of planning application was submitted to the planning authority? *

- ☐ Application for Planning Permission.
- ☒ Application for Planning Permission in principle
- ☐ A Further Application (including renewal of planning permission, modification, variation or removal of a planning condition etc).
- ☐ Approval of matters specified in conditions.

What type of decision did you receive from the planning authority and are now appealing against? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision - deemed refusal (NB: This does not apply to Prior Approvals).

Statement of Appeal

You must state in full, why you are appealing against the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your appeal: * (Max 500 characters)

Note: you might not have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You will though be entitled to comment on (i) any additional matter which may be raised by the planning authority in its response to your appeal, or (ii) any representations the Scottish Government might receive from any other person or body.

See separate sheet for statement of appeal, included as attachment.

Have you raised any matters which were not before the planning authority at the time the decision you are appealing against was made? *

☐ Yes ☒ No

Please provide a list of all documents, materials and evidence which you have provided with your appeal and intend to rely on in support of your appeal: * (Max 500 characters)

Statement of appeal

Are you providing a separate statement of your Grounds of Appeal? *

☐ Yes ☒ No

If Yes then please be prepared to upload this when you reach the end of the form.

Grounds of Appeal

Please state your grounds of appeal here in summary: (Max 500 characters)

See statement of appeal.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

11/02022/PPP

What date was the application submitted to the planning authority? *

21/12/11

Has a decision been made by the planning authority? *

☒ Yes ☐ No

What date was the decision or certificate issued by the planning authority? *

29/02/12

Appeals Procedure

The person appointed to determine your appeal will decide upon the procedure to be used. However you should indicate what procedure you think is the most appropriate for the handling of the appeal.

Can this appeal continue to a conclusion in your opinion, based on a review of the relevant information provided by yourself and other parties without any further procedures? *

☐ Yes ☒ No

Please advise which further procedures are relevant.* (A combination involving more than one further procedure can be selected if necessary).

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

Site inspection is considered necessary to substantiate the comments within the statement of appeal relating to adjacent properties and settlement pattern.

In the event that the Scottish Government Reporter appointed to consider your appeal decides to inspect the appeal site, in your opinion:

Can the site be clearly seen from a road or public land? *

☐ Yes ☒ No

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

☒ Yes ☐ No

If there are reasons why you think the Reporter would be unable to access and view the appeal site alone, please explain here. (Max 500 characters)

No.

Other Appeals Submitted Details

Have you or anyone else made any other related appeals to Scottish Ministers regarding this building and/or site?

☐ Yes ☒ No

Checklist - Appeal Against Planning Authority Decision Or Failure Of Planning Authority To Give Decision

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid. The Directorate for Planning and Environmental Appeals cannot start processing your appeal until it is valid.

Are you submitting a supplementary statement with your grounds of appeal? *

☐ Yes ☒ No

If the appeal concerns approval of matters specified in conditions, or a Further Application to vary conditions – please attach a copy of the application, approved plans and decision notice from that earlier consent.*

☐ Submitted ☒ Not Applicable

Copy of Plans/Drawings: *

☒ Yes ☐ No

Copy of planning authority decision notice (If no decision then this is deemed as a refusal). *

☒ Yes ☐ No ☐ No decision

A copy of original application form and if applicable include certificates relating to land ownership. *

☒ Yes ☐ No

Other documents, materials and evidence which you intend to rely on. *

☐ Yes ☒ No

The Report of Handling prepared by the planning authority in respect of your application, where one exists. *

☒ Yes ☐ No

Declare - Appeals against Refusals and other decisions

I/We the applicant/agent certify that this is an appeal to Scottish Ministers on the grounds stated.

Declaration Name: Stephen Gauld

Declaration Date: 30/04/2012

Submission Date: 30/04/2012