

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 OF 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.**

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)	Agent (if any) Ichthus Architects
Name Daniel Ralph and Son	Name Keith Remnant Dip Arch RIBA ARIAS
Address [REDACTED]	Address 68 Granary Street Burghead
Postcode [REDACTED]	Postcode IV30 5UA
Contact Telephone 1: [REDACTED]	Contact Telephone 01343 830 958
Contact Telephone 2: [REDACTED]	Contact Telephone 07799 154 551
Fax No	Fax No
E-mail*	E-mail keith@ichthus-architects.co.uk
	Mark this box to confirm all contact should be through this representative: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
* Do you agree to correspondence regarding your review being sent by e-mail? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

Planning authority	<input type="text" value="Moray Council"/>		
Planning authority's application reference number	<input type="text" value="15/01790/APP"/>		
Site address	<input type="text" value="Site at Clarkley Hill Burghead, Moray"/>		
Description of proposed development	<input type="text" value="Construction of funeral chapel and formation of new burial ground"/>		
Date of application	<input type="text" value="October 9th 2015"/>	Date of decision (if any)	<input type="text" value="December 3rd 2015"/>

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

Nature of application

- 1. Application for planning permission (including householder application) √
- 2. Application for planning permission in principle
- 3. 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)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer √
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

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.

- 1. Further written submissions √
- 2. One or more hearing sessions
- 3. Site inspection √
- 4. Assessment of review documents only, with no further procedure √

If you have marked box 1 or 2, 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 are necessary:

The original design has been modified to address the issues raised as the reasons for the refusal as per the attached document.

Site inspection

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

- | | Yes | No |
|--|-----|--------------------------|
| 1. Can the site be viewed entirely from public land? | √ | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | √ | <input type="checkbox"/> |

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

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

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 and intend to rely on in support of your review.

Revised drawings:

- 1416 10 Plans scheme 02
- 1416 11 Location and site plan scheme 02
- 1416 12 Layout plan scheme 02
- 1416 13 Site levels scheme 02

Written representation supporting the revised design and the whole concept of the proposal.

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 Council Office, High Street, Elgin until such time as the review is determined. It is also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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.

There is a farm gate access to the site which the members may need assistance in opening. They are advised to contact Mr Ralph on [REDACTED]

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.

The issues raised in the refusal have been addressed and the building design and area around have been modified to suit, ie

The roofline has been altered to reduce the impact of a long unbroken ridgeline and to give an appearance resembling a more traditional barn complex:

Extensive landscaping has been added to screen the building from the public road, using semi mature trees native to the area, to be planted before the works commence so that they have a headstart in achieving their purpose by the time construction is complete and the facility become operational:

Our country is traditionally Christian and burials have always taken place within a Christian context. However our modern society has an increasingly diverse nature with people of different faiths and cultures and those with no religious faith at all. The applicant, as an experienced undertaker, has identified a need to cater for those who would feel uncomfortable celebrating the life of a loved one within a traditional Christian Church environment. As a private funeral chapel and parlour, this would be a non-denominational, non faith based facility, open to all, in which those of any faith and no faith would feel comfortable.

All the other issues within the policies have been addressed and expanded on within the written representation.

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 agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

[Redacted signature box]

Date

07 December 2015
