

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	MRS	Ref No.	
Forename	K	Forename	
Surname	APPRAOUI	Surname	
Company Name		Company Name	
Building No./Name		Building No./Name	
Address Line 1	10 ISLA ROAD	Address Line 1	
Address Line 2	NEWMILL	Address Line 2	
Town/City	KEITH	Town/City	
Postcode	AB55 6US	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	MORAY COUNCIL		
Planning authority's application reference number	20/01549/APP		
Site address	10 ISLA ROAD NEWMILL KEITH AB55 6US		
Description of proposed development	ERECTION OF 1.8M HIGH TIMBER BOUNDARY FENCE		

Date of application

Date of decision (if any)

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.

OUR APPLICATION FOR A BOUNDARY FENCE WAS REFUSED DUE TO THE POSITION OF THE FENCE, FORWARD OF THE PRINCIPAL ELEVATION, INTERRUPTS THE OPEN ASPECT TO THE FRONT OF THE HOUSE, FAILING TO COMPLY WITH POLICY DP1 - DEVELOPMENT PRINCIPLES OF THE MORAY LOCAL DEVELOPMENT PLAN 2020

WE WANTED A FENCE ON THE BOUNDARY BETWEEN OURSELVES AND 8 ISLA ROAD TO GIVE AS PRIVACY FROM OUR NEIGHBOURS

OUR NEIGHBOUR AT 12 ISLA ROAD HAS AN EXTENSION TO THE FRONT OF THEIR HOUSE AND HARD TO THE BOUNDARY BETWEEN OUR PROPERTIES THAT EXTENDS FURTHER OUT THAN THE 1.8M TIMBER FENCE WE HAVE ERECTED. WE FEEL THAT THIS HAS SET A PRESEDENCE

ALTHOUGH THE DETERMINING OFFICER CONSIDERED THAT OUR FENCE INTERRUPTED THE OPEN ASPECT OF OUR PROPERTY WITHIN THE STREET ANY PERCEIVED INTERRUPTION IS MINOR IN COMPARISON TO MY IMMEDIATE NEIGHBOURS HUGE EXTENSION IN THEIR FRONT GARDEN WHICH WAS GIVEN FULL PLANNING PERMISSION IN JANUARY 2005.

WE BELIEVE THAT IF MEMBERS HAD THE OPPORTUNITY TO VISIT THE SITE THEY WOULD AGREE THAT A PREVIOUSLY APPROVED EXTENSION HAS MUCH MORE OF AN EFFECT ON THE STREET SCENE THAN OUR FENCE WHICH PROTRUDES JUST 3.8 METRES BEYOND OUR PRINCIPAL ELEVATION THEN REDUCES TO 1.0M FOR 2.35M UP TO THE EDGE OF OUR SITE.

IT IS ALSO WORTH NOTING THAT THE COUNCIL'S TRANSPORTATION SECTION HAD NO ISSUES WITH THE FENCE IN RELATION TO ROAD SAFETY BECAUSE IF IT HAD WE WOULD HAVE HAPPILY REMOVED OR REDUCED THE FENCE.

WE FEEL AS THOUGH WE ARE CAUGHT BETWEEN THE OFFICER WHO DETERMINED OUR FENCE AND THE MUCH MORE LENIENT APPROACH TAKEN BY ONE OF HIS FELLOW PLANNING OFFICER COLLEAGUES IN 2005 WHO SOUGHT IT FIT TO APPROVE A HUGE EXTENSION AT THE FRONT OF OUR NEIGHBOURS PROPERTY.

BEARING THE ABOVE IN MIND WE WOULD ASK FOR A SYMPATHETIC ASSESSMENT OF OUR APPEAL TO THIS PLANNING DECISION.

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

ARCHITECTURAL SITE PLAN - 2021015.APPRAOUI.PP01A
SUPPORTING STATEMENT AND PHOTOGRAPH

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:

Katrina

Date:

5/3/21

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.