

Notice of Review: Planning Application 21/00075/APP
– Change of use of garden ground to form operators lorry and trailer parking space
at Morven View, Clochan, Buckie

I write on behalf [REDACTED], [REDACTED] to sustain an objection to the above Change of Use proposals (ref original objection). Whilst supportive of the applicant's business aims, there is no clear locational need for a contractor's yard in this predominantly domestic setting, and the objection is sustained on the following grounds:

APPLICANT'S STATEMENT	OBJECTION COMMENT	REFERENCE
<i>"The matters we think should be taken into account is the refusal based on not being appropriate in a domestic setting (reason: the proposal would appear in proportion to the previously passed garage)"</i>	The 'previously passed garage' was approved for domestic use only. This new application is more relevant for commercial use. The land was originally agricultural land, which had to be approved to be changed to garden ground for the build of the domestic shed. Proposal still fails to comply with DP5 and DP1 policies	Notice of review appeal form. Refusal of planning permission decision notice.
<i>"The single track road having intensified road use by a large vehicle (reason: vehicles already using the road with the widening and passing places currently on the route)."</i>	The large vehicles that come up the road are either essential to all the houses (bin lorry) or seasonal (lorries going to the local farm)	Notice of review appeal form
<i>Road conditions acceptable</i>	Road conditions are not getting better, they are getting worse. There is a landslip at a passing place at a corner and pot holes.	
<i>"There is 7/8 HGV movements from Buddnich Farm daily"</i>	This statement is incorrect; when there is HGV movements this is only seasonal and 7/8 lorries is over estimated.	Supporting document LRB - Operations statement
<i>"The HGV would leave its parking space in the morning and return at the end of the working day - essentially 1 movement out of the site and 1 movement in daily."</i>	Since the shed has been built, there are multiple movements of diggers in and out of the property on a daily basis.	Supporting document LRB - Operations statement
<i>"1 member of staff, the applicant who resides at Morven View"</i>	The applicant's father is on site operating machinery daily.	Supporting document LRB - Operations statement

It is noted that the applicant and his agent has sought an appeal via the Moray Local Review Body (MLRB) and that the reasons for appeal are largely based on the belief that 'two wrongs make a right', i.e. that (a) the proposals relate to the large scale of the shed and (b) heavy vehicles already use the existing road (Ref Applicant's Notice of Review Appeal Form).

It is also noted, from the Planning Application Decision Notice and Report of Handling, that the proposals do not accord with the Council's Planning and/or Transportation Policies, with additional concerns regarding the minor road network. It is further noted that the site is subject of an Enforcement investigation.

The proposals put before the MLRB, along with applicant's reasons provided above, reveal the intent of industrialisation by stealth. In effect through his own argument, the applicant is admitting that the 'proportion of the previously passed garage' is not domestic in scale and more in keeping with a contractor's yard. This reality has been further evidenced recently with two diggers and other plant and machinery being used daily and stored on site, plus the amount of construction rubble stored on site has also increased, which gets crushed on site into hardcore (ref Applicant's Facebook page).

In conclusion, it is reiterated to the MLRB that the proposals are inappropriate and incompatible within a rural housing group. The points made on the Refusal Decision Notice remain entirely valid.

Sent by Dr Nick Brown

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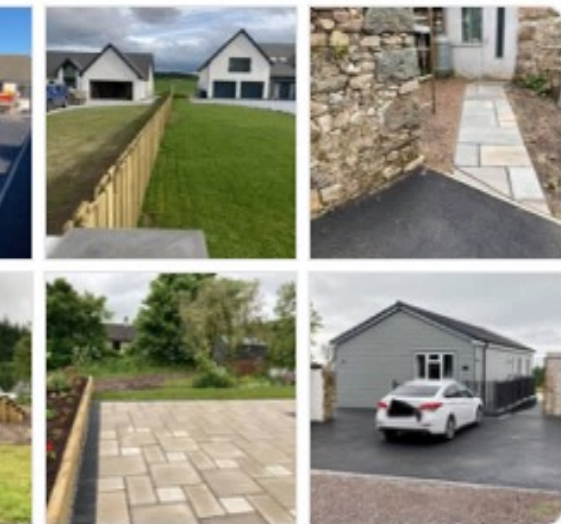
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