



MORAY LOCAL REVIEW BODY

DECISION NOTICE

Decision by the Moray Local Review Body (MLRB)

- Request for Review reference: Case LR271
 - Application for review by Mr and Mrs Brian Slorach c/o Mr Ross Cowie, Ross Cowie Architect against the decision of an Appointed Officer of Moray Council
 - Planning Application 21/01271/PPP – Erect dwelling house on site at Newlands Lane/rear of 68 East Church Street, Buckie
 - Date of decision notice: 20 April 2022
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Decision

The MLRB agreed to dismiss the request for review and uphold the original decision of the Appointed Officer to refuse the above noted application.

1. Preliminary

- 1.1 This Notice constitutes the formal decision of the MLRB as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for planning permission in principle was considered by the MLRB at the meeting held on 31 March 2022.
- 1.3 The MLRB was attended by Councillors Taylor (Chair), Bremner (Depute Chair, Cowie, Gatt, Nicol and Powell.

2. MLRB Consideration of Request for Review

- 2.1 A request was submitted by the Applicant seeking a review of the decision of the Appointed Officer, in terms of the Scheme of Delegation, to refuse planning permission in principle on the grounds that:
- 2.2 The proposed development is contrary to Policy DP1 Development Principles of the adopted Moray Local Development Plan (MLDP) 2020 for the following reasons:

1. The proposal involves sub division of the plot associated with 68 East Church Street Buckie, and falls short of the minimum plot size of 400 square metres required by the policy; and
 2. The proposed site does not reflect the character and appearance of the surrounding area due to its limited size and narrow frontage which does not reflect the density and layout of the surrounding area.
- 2.3 A Summary of Information Report set out the reasons for refusal, together with the documents considered or prepared by the Appointed Officer in respect of the planning application, in addition to the Notice of Review, Grounds for Review and supporting documents submitted by the Applicant.
- 2.4 In response to a question from the Chair as to whether the Legal or Planning Advisers had any preliminary matters to raise, both the Legal and Planning Advisers advised that they had nothing to raise at this time.
- 2.5 The Chair then asked the Moray Local Review Body (MLRB) if it had sufficient information to determine the request for review. In response, the MLRB unanimously agreed that it had sufficient information to determine the case.
- 2.6 During discussion, the MLRB acknowledged that the proposal would improve the site and was in keeping with similar properties in Buckie however, in terms of the MLDP policy DP1 (Development Principles) the site was too small for the proposal therefore the MLRB unanimously agreed to refuse planning permission in principle in respect of Planning Application 21/01271/PPP.

Mr Sean Hoath
Senior Solicitor
Legal Adviser to the MLRB