

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 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	Mr & Mrs	Ref No.	
Forename	Craig & Andrea	Forename	Jane
Surname	Robertson	Surname	Shepherd
Company Name		Company Name	TheTownPlanner Ltd
Building No./Name		Building No./Name	The Craigies
Address Line 1		Address Line 1	Grant Road
Address Line 2		Address Line 2	
Town/City		Town/City	Grantown on Spey
Postcode		Postcode	PH26 3LA
Telephone		Telephone	01479 872 953
Mobile	07707094797	Mobile	
Fax		Fax	
Email	andrearobertsons@aol.com	Email	jane@thetownplanner.co.uk
3. Application Details			
Planning authority	Moray Council		
Planning authority's application reference number	23/01024/APP		
Site address	<div style="border: 1px solid black; padding: 5px;">Alba 195 Findhorn Forres IV36 3YN</div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px;">Retrospective consent to erect a 4.5m height flagpole in the grounds of Alba 195 Findhorn</div>		

Date of application

20 June 2023

Date of decision (if any)

29 August 2023

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.

Unable to tick more than one box
Request is for a combination of assessment including a review of the all the documents (as listed below and including the Planning Review Statement, as provided with this notice) together with site inspection.
The reason for the request for a site inspection is because the refusal is based on impact on the conservation area and SLA. This is a visual assessment which needs to be carried out during a site inspection.

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:

My clients would like to be able to point out all the poles referenced in the Planning Review Statement to ensure the Local Review Body takes this information into account and is able to view their lack of impact during their site inspection.

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.

Please see attached Planning Review Statement

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

Planning Submission Documents (all as published online): Submitted Plans (Location Plan, Block Plan, Elevations Plan), Officer Handling Report & Decision Notice

Previous Planning Approval (22/01191/APP): Approved Plan, Officer Handling Report & Decision Notice

Planning Review Statement

Whilst the following documents are fully referenced in the Planning Review Statement, it is assumed the Local Review Body will be provided with the Statutory Development Plan (NPF4 and Moray LDP), the Moray Local Landscape Designation Review, and the Findhorn Conservation Area Appraisal documents. As such these documents have not been provided in full.

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

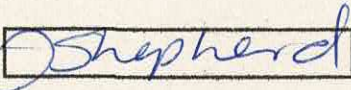
Statement of your reasons for requesting a review

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: Date:

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.