

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 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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	DOCTOR	Ref No.	
Forename	ALASTAIR	Forename	JOHN
Surname	BLAIN	Surname	TULLOCH
Company Name	N.A	Company Name	TULLOCH OF CUMMINGSTON LTD
Building No./Name	BRACO LODGE	Building No./Name	TULLOCH HOUSE
Address Line 1	42 MAYNE ROAD	Address Line 1	FORSYTH ST
Address Line 2		Address Line 2	HOPEMAN
Town/City	ELGIN	Town/City	ELGIN
Postcode	IV30 1PB	Postcode	IV30 5ST
Telephone	01343 549090	Telephone	01343 835600
Mobile	07974 791092	Mobile	07917 080500
Fax	N.A	Fax	01343 835700
Email	N.A	Email	TULLOCHOF CUMMINGSTON.CO.UK
3. Application Details			
Planning authority		MORAY COUNCIL	
Planning authority's application reference number		10/00462/PPP	
Site address			
BRACO LODGE 42 MAYNE ROAD ELGIN IV30 1PB			
Description of proposed development			
Erection of dwelling house on site within grounds of Braco Lodge, 42 Mayne Road, Elgin			

Date of application

19.03.2010

Date of decision (if any)

16.08.2010

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.

*Please see document submitted with
this form.*

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

Location plan, dated March 2010

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.

Signature:



Name:

A. M. BLAIN

Date:

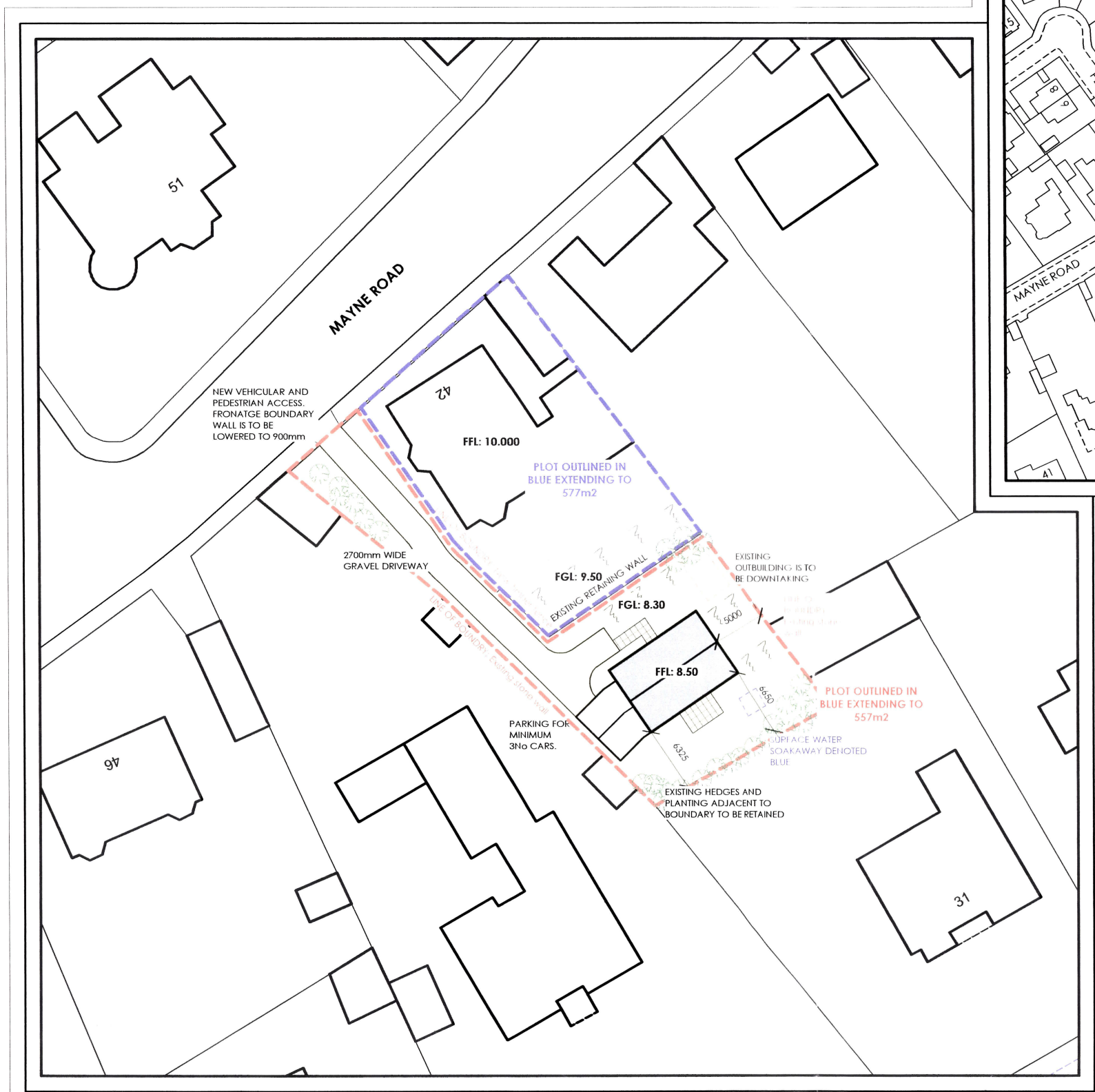
01.09.2010

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.

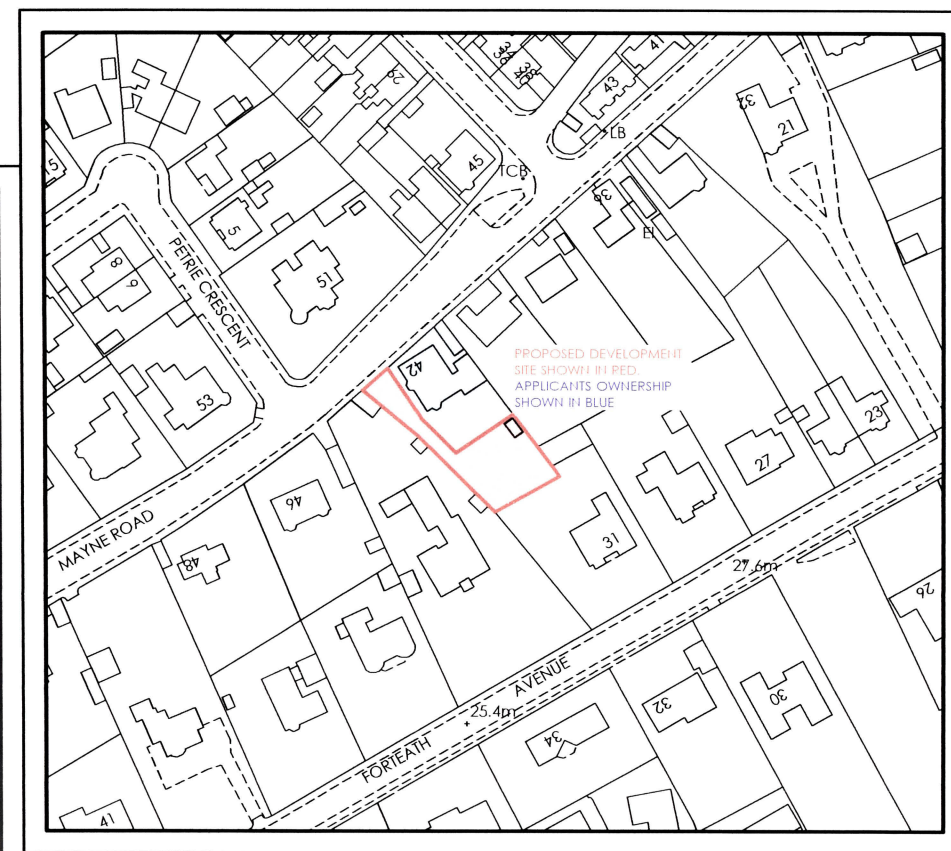
Reasons for notice of review

Dr A.M. + Mrs M.J. Blain

- (1) We have lived and worked here as a family since 1965. Now, as our children have left and we are growing older, we wish to downsize. The proposed dwellinghouse, therefore, would be small, compact, solely for our own use and not built as a commercial project. Also, it would be planned to complement other properties in the vicinity and be constructed entirely in keeping with the area.
- (2) As far as we are aware, none of our neighbours have lodged any objections to our plans. Indeed, several have expressed their support, having complete understanding of the situation and environment.
- (3) Indeed, in our vicinity, over the years, owners of large houses have sub-divided their gardens and smaller houses have been built in these plots, thus forming the present character of the area.
- (4) The garden of our present property is very large, the lower part, where the house is planned, is accessed by steps and is not used for any purpose whatsoever. The proposed property plot sizes would still be large, one 557sq. metres, the other, 577sq. metres. These are substantially over the minimum size requirement of 400sq. metres, as stipulated by Policy H4 of local Planning.



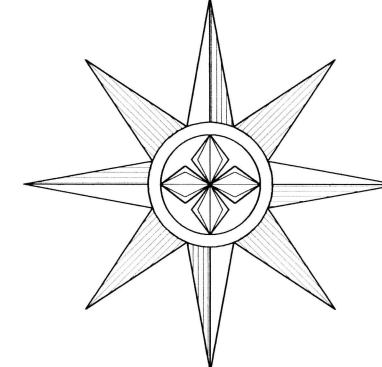
SITE PLAN 1:500



LOCATION PLAN 1:2000

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100020449

North



*For homes of
Distinction*

TULLOCH OF CUMMINGSTON LTD

Tulloch House, Forsyth Street, Hopeman IV30 5ST

Tel - (01343) 835600

Web - www.tullochofcummington.co.uk

project / job description

OUTLINE PLANNING APPLICATION FOR ERECTION OF
DWELLINGHOUSE WITHIN GROUNDS OF BRACO LODGE,
42 MAYNE ROAD.
ELGIN
IV30.
for DR & MRS BLANE.

plot no. **drg. no.** **scales**

OUTPP/001/2010 As Shown

drg. description

OUTLINE PLANNING APPLICATION

drawn by **date** **signed**

A.J.SANDERSON MAR 2010