

# NOTICE OF RE

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING ACT 1990  
IN RESPECT OF DECISIONS ON LOCAL

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION) (SCOTLAND) REGULATIONS 1994

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 1997

CENTRAL SERVICES			
03 FEB 2014			
CITEE	ESTATES	LEGAL	PERSONNEL
COMMENTS			

**IMPORTANT: Please read and follow the guidance notes provided.**  
**Failure to supply all the relevant information could invalidate an application.**

Use **BLOCK CAPITALS** if completing in manuscript

## Applicant(s)

Name The Architecture Studio  
Address The Orchard, Ashfield, Garmouth  
Postcode IV32 7LF  
Contact Telephone 1 01343 870393  
Contact Telephone 2  
Fax No  
E-mail\* studiodesign2000@hotmail.com

## Agent (if any)

Name  
Address  
Postcode  
Contact Telephone 1  
Contact Telephone 2  
Fax No  
E-mail\*

Mark this box to confirm all contact should be through this representative:

\* Do you agree to correspondence regarding your review being sent by e-mail?

Yes  
X   
No

Planning authority

Moray Council

Planning authority's application reference number

13/01876/APP

Site address

Ground at The Orchard, Ashfield, Garmouth.

Description of proposed development

Erect new house and garage. Renewal of planning consent ref.no. 10/01385/APP

Date of application

11<sup>th</sup> October 2013

Date of decision (if any)

6<sup>th</sup> December 2013

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

**Nature of application**

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. 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)
- 4. Application for approval of matters specified in conditions

**Reasons for seeking review**

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

**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.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, 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 are necessary:

**Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- |  | Yes                                 | No                       |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land?                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

**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.

See separate statement accompanying Notice of Review.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?	<table border="0"> <tr> <td style="padding-right: 10px;">Yes</td> <td>No</td> </tr> <tr> <td style="text-align: center;">x</td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Yes	No	x	x	<input type="checkbox"/>	<input type="checkbox"/>
Yes	No						
x	x						
<input type="checkbox"/>	<input type="checkbox"/>						

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

I am uncertain as to whether or not the appointed officer would have come across the information/material to which I have referred in my statement whilst he was researching the previous consent 10/01385/APP. As stated, I had anticipated discussing the visibility splay directly with Transportation.

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

**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 and intend to rely on in support of your review.

Provided on separate sheet accompanying Notice of Review.

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 Council Office, High Street, Elgin until such time as the review is determined. It is also be available on the planning authority website.

**Checklist**

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- x  Full completion of all parts of this form
- x  Statement of your reasons for requiring a review
- x  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 [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

[Redacted signature box]

Date

27<sup>th</sup> January 2014

