

7. **LRB 420** - Full Planning Permission for Change of Use of Existing Dwellinghouse to Office; Refurbishment of Existing Buildings; Demolition of Block Outbuilding and Erection of Dwellinghouse at Burnhead, Westhill, Aberdeenshire, Ab15 8RA – Reference: APP/2017/2082.
 - (i) Notice of Review, Review Statement and Supporting Documents as submitted by the Applicant

Aberdeenshire Council

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

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.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail*

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 No

Application reference number

Site address

Description of proposed development

Date of application

Date of decision (if any)

Note. This notice must be served on the Local Review Body 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:

RECENT DEVELOPMENTS

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 type="checkbox"/> | <input checked="" 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:

We would prefer to be present to allow for any questions and clarification but anyone can visit any time.

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 will not have a further opportunity to add to your statement of review at a later date unless specifically requested to do so by the Local Review Body. 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.

Exceptionality of Proposal

We recognise that the decision of the senior planning officer was made via the process of bench-marking our proposal against Green Belt Policy. However, we believe the proposal deserves full consideration by the committee owing to the exceptional nature of the proposal taken as a whole. This proposal sets an excellent example of small scale farming and self-sufficiency and is otherwise entirely in keeping with current local and national policies for development in the countryside and environmental considerations. It epitomises aspirations for 'green' living on an achievable scale.

We believe this proposal is unique in the area and holds sufficient merit for re-consideration by the full committee. It will provide a sustainable lifestyle for the owners and also opportunities to engage with and influence the wider community in a positive way.

Planning

There is a need to maintain green belt, the Burnhead planning application will secure 4 acres of "greenness" and we are committed to ensure this remains an area of increasing biodiversity and an example of sustainable living.

Preservation of Green Belt

Since our application was initially submitted, permission has been granted for the new stadium. We believe that in this context, any steps we can take to preserve the green belt, flora and fauna in the surrounding area should be a priority. The Burnhead application will help achieve this. The development will be a sympathetic, single dwelling. It is required for the execution of primary agricultural industry and is an excellent demonstration of low carbon living.

In the long term, if any further development was to be approved in the surrounding area it will be vital, for environmental reasons, to ensure there are 'islands' and 'corridors' of green for environmental, biodiversity and anti-pollution reasons. We are making a lifelong commitment to this.

Freedom to expand the Croft Business

Since the original application, we have been overwhelmed by the extent of interest in our project. We have begun to develop the croft business with the selling of free range, rare breed pork and eggs but lack of on-site facilities is restricting the business growth.

We have a range of rare breed pigs we are raising for meat. These breeds are formally designated 'at risk' of extinction. They are slow-growing and thus not suitable for large scale commercial businesses. They rely on smallholders to keep these breeds alive.

We are able to show visitors the animals in their own environment, involve them in their care if they wish and then supply them with a premium, free range, highest welfare product, locally reared. Our pork customers are keen to come and learn how to cure their meat, which will require safe storage indoors. We are eager to expand in this area (albeit maintaining the small-scale nature), running the croft as a bona fide business. This will require office space, food processing areas and storage facilities. The original cottage, whilst not suitable for permanent family accommodation, would be ideally suited for home-working and the croft business itself.

Since the original application we have begun to develop the agro-forestry aspect of the project. To date we have planted approximately 2000 trees. This element of the project is also attracting a lot of local interest.

Community Impact

We have had community involvement and interaction by allowing locals and children to experience farming on a small, achievable scale. We have received requests for visits from local scout groups and school groups who are struggling to find suitable venues for outdoor community work and who are keen to educate children about food production and animal welfare on a small, 'hands on' and accessible scale.

We have also had a request from an academic group at a local University, keen to undertake biodiversity studies due to our mix of land types.

We would be delighted to meet with the committee on-site and at a hearing at any time.

As you will note from the guidance accompanying this form, you must not raise any matter which was not before the planning authority at the time the decision you are appealing against was made unless, you can demonstrate that the matter could not have been raised at that time or, that it not being raised was due to exceptional circumstances.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

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

New Stadium planning approval
Onsite developments as highlighted above
Unexpected business opportunity and community and environmental response from locals

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.

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 will also be published on the Council's website.

Checklist

Please mark the appropriate boxes to confirm 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 requiring 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 [delete as appropriate] hereby serve notice on the Local Review Body to review the application as set out on this form and in the supporting documents.

Signed



Date

15 May 2018

The completed form and documents should be sent to:

**Head of Legal and Governance,
 Business Services,
 Aberdeenshire Council,
 Woodhill House,
 Westburn Road,
 Aberdeen,
 AB16 5GB**

Email: localreviewbodysubmissions@aberdeenshire.gov.uk

Telephone: 01467 532862