

6. **LRB 419** - Full Planning Permission for Formation of Campsite, Erection of Reception/Café Building, Shower/Toilet Block, Siting of 5 Yurts, Siting of Residential Caravan at Site at Woodside of Byth, Woodside Farm, New Byth – Reference: APP/2017/3054
  - (i) Notice of Review, Review Statement and Supporting Documents as submitted by the Agent





Viewmount Arduthie Road Stonehaven AB39 2DQ Tel: 01569 690544 Email: [planningonline@aberdeenshire.gov.uk](mailto:planningonline@aberdeenshire.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100010837-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Cooper & MacGregor Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Angela	Building Name:	
Last Name: *	Cooper	Building Number:	86
Telephone Number: *	01224 323839	Address 1 (Street): *	86 Summerhill Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB15 6ED
Email Address: *	mail@coopmac.scot		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="."/>
First Name: *	<input type="text" value="Norman"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Duguid"/>	Address 1 (Street): *	<input type="text" value="."/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="."/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="."/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="."/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing

Easting

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Formation of Campsite, Erection of Reception/Café Building, Shower/Toilet Block, Siting of 5 Yurts, Siting of Residential Caravan at Site at Woodside of New Byth, Woodside Farm, New Byth Aberdeenshire

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

This application is a request to remove condition 8 from the approved planning permission.

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 the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

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. You can attach these documents electronically later in the process: \* (Max 500 characters)

043 - Local Review

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

2017/3054

What date was the application submitted to the planning authority? \*

05/12/2017

What date was the decision issued by the planning authority? \*

26/04/2018

## 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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

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

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

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 (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Angela Cooper

Declaration Date: 09/05/2018

**Proposal Details**

Proposal Name	100010837
Proposal Description	Proposed Café, 5 Holiday Yurts with Associated Facilities, Parking, Temporary Caravan & Change of Land Use.
Address	
Local Authority	Aberdeenshire Council - Planning and Building
Standards	
Application Online Reference	100010837-004

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
043 - Local Review	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0



Formation of Campsite, Erection of Reception/Café Building, Shower/Toilet Block, Siting of 5 Yurts, Siting of Residential Caravan at Site at Woodside of New Byth, Woodside Farm, New Byth Aberdeenshire

**This application is a request to remove condition 8 from the approved planning permission.**

The approved planning permission permits a temporary caravan on site until the 1<sup>st</sup> of May 2021 but condition 8 prevents the caravan from actually being sited until the site is fully operational.

The applicant and agent have had numerous discussions with planning officer Pilar Girven in 2016/17 regarding the site before any formal applications were made; originally the applicant wanted to apply for planning permission for a new house and business use, but was advised by Aberdeenshire Council to apply for a temporary caravan and then a dwelling once the business was established.

During all these discussions in 2016/17 and as part of this application it was very clear that this project is a self-build. The applicant will complete 95% of the building work on site therefore it is critical that the applicant be permitted to reside on site during the works.

At no point did the planning officer indicate that a condition would be imposed that prevented the applicant from actually being on site during the construction phase.

It is essential for the initial setting up of the business that the applicant be on site 24 hours a day, 7 days per week. Commuting back and fore to Aberdeen is not achievable and the applicant will not be in a position to employ any assistance. It is also important for site security that the applicant be on site. The site has already been used for fly tipping and could easily be targeted by thieves.

The site obtained planning permission for business use and dwelling in 1997. Work commenced to satisfy planning condition 3 of the approved work therefore validating the permissions within the 5 year period. It is not proposed that the original permissions will be used but the fact that permission is already in place for a dwelling connected to business use on the site indicates that a temporary residential caravan should be acceptable.

The caravan, café and toilet block will all connect into new services on the site. To ensure costs are kept to a minimum it is essential that this work is completed as one task instead of two separate tasks.

The residential unit will also provide facilities for the applicant during the construction period on site. Adequate welfare facilities is a requirement under CDM 2015 during the construction phase on site.

This application was validated on the 14<sup>th</sup> December 2017 but has taken nearly 5 months to approve. Revised drawings were provided to planning on the 29<sup>th</sup> January 2018 and extractor fan details were provided to Environmental Health on the 15<sup>th</sup> February 2018 but despite planning having all the necessary documentation to approve the application the report to councillors was not circulated until the 24<sup>th</sup> April 2018 due to extended holiday leave by the planner.

As a result of the extended time taken by planning to approve the application the applicant will miss the 2018 summer season. This delay will also affect the time to establish his business on site. It is crucial to the success of this business that the applicant be permitted to site his caravan on site immediately so he can progress with the project.

