

7. **LRB 431** – Notice of Review Against Refusal of Planning Permission in Principle for Erection of Dwellinghouse, Double Garage and Workshop (for applicant’s business) at Killiebrae, Oldmeldrum, Aberdeenshire, AB51 0DQ – Reference: APP/2018/1704.
 - (i) Notice of Review, Review Statement and Supporting Documents as submitted by the Applicant.



Viewmount Arduthie Road Stonehaven AB39 2DQ Tel: 01569 690544 Email: 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 100140580-001

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:	George W Simpson, Chartered Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	George	Building Name:	Tulloford Mill
Last Name: *	Simpson	Building Number:	
Telephone Number: *	01651 873601	Address 1 (Street): *	Oldmeldrum
Extension Number:		Address 2:	Inverurie
Mobile Number:		Town/City: *	Inverurie
Fax Number:		Country: *	UK
		Postcode: *	AB51 0AQ
Email Address: *	gwsarchitect@btinternet.com		

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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text" value="Killiebrae"/>
First Name: *	<input type="text" value="Jim"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Presly"/>	Address 1 (Street): *	<input type="text" value="Ladyleys"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Oldmeldrum"/>
Telephone Number: *	<input type="text" value="[REDACTED]"/>	Town/City: *	<input type="text" value="Inverurie"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text" value="[REDACTED]"/>	Postcode: *	<input type="text" value="AB51 0DQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="Aberdeenshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="KILLIEBRAE"/>
Address 2:	<input type="text" value="LADYLEYS"/>
Address 3:	<input type="text" value="OLDMELDRUM"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="INVERURIE"/>
Post Code:	<input type="text" value="AB51 0DQ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="829202"/>	Easting	<input type="text" value="382986"/>
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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)

Change of Use from Agricultural to Class 9 (Housing) and the erection of a single storey dwelling house with attached double garage and a workshop for the applicant's business on a plot adjacent to Killiebrae.

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.

The proposals are not contrary to Policy R2. The Handling Report states that the concrete floor slab and foundations of the former stables is "hardstanding", but this is not supported by the Oxford English Dictionary which defines hardstanding as a surface "for parking of vehicles". There is no definition of hardstanding in the LDP glossary. There is no reason why the drainage calculations could not be a condition of approval. This would guarantee the application complies with Policy RD1.

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)

The Planning Application drawings Nos. TD18-03-01 (Site Plan), TD18-03-02 (Block Layout Plan and Indicative Roof Plan), TD18-03-03 (Indicative Floor Plan) The Design Statement The Justification Report

Application Details

Please provide details of the application and decision.

What is the application reference number? *

APP/2018/1704

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

13/07/2018

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

08/10/2018

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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

It is important to have a site visit because one of the main issues is the planning status of a concrete floor and foundations which supported a stable block when the applicants acquired the site in 2002. It would be necessary for the LRB members to see close up this important feature which cannot be seen from the public road.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is fully enclosed by fences/hedges and the field gate is kept locked for security reasons.

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: Mr George Simpson

Declaration Date: 19/10/2018

Proposal Details

Proposal Name	100140580
Proposal Description	Change of Use from Agricultural to Class 9 (Housing) and the erection of a single storey dwelling house with attached double garage and a workshop for the applicant's business on plot adjacent to Killiebrae.
Address	KILLIEBRAE, LADYLEYS, OLDMELDRUM, INVERURIE, AB51 0DQ
Local Authority	Aberdeenshire Council
Application Online Reference	100140580-001

Application Status

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

Attachment Details

Notice of Review	System	A4
TD18-03-01	Attached	A1
TD18-03-02	Attached	A1
TD18-03-03	Attached	A1
Design Statement	Attached	A4
Justification Report	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

