

5. **LRB 512** – Notice of Review Against Refusal of Full Planning Permission for Erection of Dwellinghouse (Change of House Type to Planning Permission APP/2019/1716) at Site at South East of Elrick House Estate, Newmachar, Aberdeenshire – Reference: APP/2020/1659.

Local Review Body: Councillors J Hutchison (Chair), P Gibb, J Ingram, and P Johnston.

- (i) Information Requested from the Planning Service.

# FW: LRB 512 - Application APP/2019/1716 and APP/2020/1659 - Request for Additional Information

18 May 2021  
09:51

Subject	<b>FW: LRB 512 - Application APP/2019/1716 and APP/2020/1659 - Request for Additional Information</b>
From	Chris Ormiston
To	Frances Brown
Cc	Jane Weir; Victoria Grant; Bruce Strachan
Sent	17 May 2021 14:37
Attachments	<<LRB 512 - Letter Requesting Further Information from Planning.pdf>>

**Ref: LRB 512**

## **NOTICE OF REVIEW UNDER THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE)(SCOTLAND) REGULATIONS 2013**

### **FULL PLANNING PERMISSION FOR ERECTION OF DWELLING HOUSE (CHANGE OF HOUSE TYPE TO PLANNING PERMISSION APP/2019/1716) AT SITE AT SOUTH WEST OF ELRICK HOUSE ESTATE, NEWMACHAR, ABERDEENSHIRE, REFERENCE: APP/2020/1659**

Frances

As per your letter dated 26 March 2021, please see below the position of the Planning and Environment Service in relation to discrepancies identified in the drawings from APP/2019/1716 and APP/2020/1659, subject of the Notice of Review reference LRB 512.

The plans as originally approved under reference APP/2019/1716 appear to contain fundamental inaccuracies in terms of dimension and scale which means the development cannot be implemented in accordance with the approved plans. This was discussed during the Local Review Body meeting, and the Planning Service concur with the observations made by the LRB Advisor.

On review, the base map utilised as part of the drawings on the 2019 application is inaccurate. This is apparent on inspection as the wider features such as the steading to the north (when measured from the road junction), the western field boundary and opposite access road (which provide fixed reference points) do not sit in an accurate position and appear to have been misrepresented on the plans. Dimensions and drawings associated with the 2019 planning application have been checked, and while the site layout drawings lodged with the application at the validation stage correspond with the relevant scale and can be calibrated, the issue appears to lie with revised site layout drawings submitted post September 2019 to extend the site southwards beyond the application red line boundary to accommodate the revised site access and visibility splay requirements. This revised version of the site layout plan, on closer scrutiny, does not correspond in terms of the scale or calibration. In view of this, the approved site layout plan, which is based on these drawings, does not correspond with the scale, as detailed, on the drawing, and any development undertaken would not match what is on site, resulting in the access and individual plots being positioned differently from that as shown on the site layout plan. For clarity, when measuring, based on the dimensions of the

1:500 site plan, the position of the 6 houses does not accord with the position and relationship to the neighbouring steading as shown on the same site plan (or opposite access road as another point of reference). This has been referred to in earlier correspondence with you, in terms of the site boundaries and access which has been implemented closer to the opposite access road to the east.

When comparing the 2019 plan to the LRB case (APP/2020/1659) the fixed features and access positions are considered to be accurately reflected on the 2020 application, with an accurate base map utilised. This highlights the discrepancies with the approved plan under the 2019 application. The discrepancies with the base map can be visually observed when viewing the approved 2019 drawing 091-203(D) against the 2020 refused drawing 1619-200 as the opposite eastern access road is shown much closer to the proposed access road on the 2020 application plan in comparison to the 2019 plan.

Therefore, in order to regularise this procedurally a further fresh planning application seeking the erection of 6 dwellinghouses shown in the position accurately reflected was required to be submitted (this has been submitted and is now valid under planning reference APP/2021/0986). This would form a material consideration to the pending LRB case, however please note, this is currently being assessed and determination is pending.

I trust this provides a view from the Planning Service regarding the plan discrepancies to suitably allow the Review to proceed.

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