

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

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

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 ☐

Planning authority

Planning authority's 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 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) | <input checked="" type="checkbox"/> |
| 2. Application for planning permission in principle | <input type="checkbox"/> |
| 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) | <input type="checkbox"/> |
| 4. Application for approval of matters specified in conditions | <input type="checkbox"/> |

Reasons for seeking review

- | | |
|-----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Refusal of application by appointed officer | <input checked="" type="checkbox"/> |
| 2. Failure by appointed officer to determine the application within the period allowed for determination of the application | <input type="checkbox"/> |
| 3. Conditions imposed on consent by appointed officer | <input type="checkbox"/> |

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 | <input checked="" type="checkbox"/> |
| 2. One or more hearing sessions | <input type="checkbox"/> |
| 3. Site inspection | <input checked="" type="checkbox"/> |
| 4. Assessment of review documents only, with no further procedure | <input type="checkbox"/> |

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:

Written statement discusses other viewpoints on planning policy, a site visit will help parties to understand the natural environment such as the substantial hedge boundaries and the scope of existing building development.

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:

The site has a gate to gain access of which can be left unlocked with 24hrs notice

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.

Please see document A574-DOC-32 for statement

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 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.

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 may 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:

- ☒ 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 planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

15-02-2024

REF: A574-DOC-32C
01 March 2024

MCADS

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NOTICE OF REVIEW: LRB STATEMENT



Statement

We request a review of this application for the following reasons:
(key part highlighted in green)

1. We believe our proposals are now in line with design, scale, proportions and site boundary size and layout of ALL existing neighbouring approved property, this is a **notable proposal change compared to the previous planning** refusal.
2. We believe that the building grouping setup **ties in with NPF4 P9 dispersed building group** example. Where a new property could sit opposite an existing property. **The property would sit within 3 existing well established hedges (landscape features).**
3. The small plot of land to be used has been under **private ownership and not used commercially for in excess of 10 years** - the intention is that the remaining part of the field would likely be used as a paddock by the home owner.
4. The positioning of the proposed cottage within the site has also been **designed to echo the adjacent traditional properties in the vicinity** (including building materials), and in particular, replicate Gateside Cottage in terms of the majority of the building being largely obscured from the road by the mature hedging on the site.
See Images below for quick reference showing the proposed cottage, Gateside Cottage, Ochil View Cottage and Broomhill Farm Cottage.



5. The planning refusal notes that the property would be highly visible - however we would argue that its visibility would only be in line with other adjacent properties. **Mature hedges (2.5m high) reduce its visibility and also highlight that there is an established boundary setting as part of the landscaping to the property.** See below image (for quick reference) illustrating mature hedges and limiting visibility of Gateside Cottage.



6. The existing **boundaries are mature substantial hedging** – double hedge rows in many cases. This highlights that the proposed site in question is not fully exposed and at the same time will immediately provide privacy and a natural curtilage to the property. A visit to the property helps illustrate this along with along with general topography. See below image (for quick reference) illustrating thick mature hedges.



7. Whilst a new hedge boundary is proposed to the South only - this is to benefit the paddock rather than support the house proposal. **This additional hedge improves biodiversity and creates a natural backdrop to the house.** – Improving visual amenity.

8. The Planning Officer states that the application does not meet the criteria of the policy for an extension of the building group (LDP(2) policy 19, category 1) as it “will detract from the visual amenity of the group when viewed from the wider landscape”
We feel our plans for a traditionally styled cottage in keeping with the neighbouring properties of Gateside Cottage, Ochil View Cottage & Broomhill Farm Cottage **will not detract from the visual amenity of the group but rather add to and enhance.**

9. In terms of being viewed from the wider landscape, the proposed site is not a prominent feature, the site itself being flat. From the road or a mile away the property would tie in with the traditional former ‘workers cottages’ it would sit amongst. The site has a backdrop of a sloping hill. The only open view of the site from the road is at the gateway and currently dominated by the overhead powerlines and existing sheds – neither of which can be considered positive attributes. **Our proposals would see the agricultural sheds removed**

and make the electricity infrastructure less obtrusive in the landscape to passers-by which can surely only be considered an enhancement.

