



APPENDIX 1

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 2008 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)

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:

I BELIEVE ALL OF THE MATTERS RAISED IN OUR ATTACHED STATEMENT ARE OF SIGNIFICANT IMPORTANCE TO BE INCLUDED.

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"/> - POSSIBLY |
| 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:

I WOULD LIKE TO BE PRESENT TO ALLOW ACCESS AND CLARIFY ANY ISSUES AS WELL AS ANSWER ANY QUESTIONS.

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 ATTACHED DOCUMENT. — PHOTOGRAPH CAPTIONS :

- ① SITE OF PROPOSED GARAGE AT ANGLE OF WALLS
- ② VIEW OF SITE FROM STREET (a)
- ③ VIEW OF SITE FROM STREET (b)
- ④ VIEW OF SITE FROM STREET (c)
- ⑤ VIEW FROM NEAREST BOUNDARY TO PROPOSED GARAGE
- ⑥ VIEW FROM BOUNDARY LOOKING EAST
- ⑦ VIEW FROM BOUNDARY LOOKING WEST
- ⑧ ARTIFICIAL ROOF TILES WITHIN CONSERVATION AREA, 75M FROM SITE
ALSO SHOWS RANGE OF DIFFERENT WINDOWS
- ⑨ CLOSE-UP OF PICTURE 8 - ARTIFICIAL SLATES RATHER THAN
NATURAL.
- ⑩ SHED IN FRONT OF FRONT ELEVATION, COMELY BANK ROAD,
EDINBURGH, CLOSE TO UNESCO HERITAGE AREA.

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.

1.) PHOTOGRAPHS
 2.) LETTER OF SUPPORT FROM NEIGHBOUR

Notes.

1. 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.
2. 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.
3. 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.

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.

Please complete and return this form to Head of Democratic Services, East Ayrshire Council, Council Headquarters, London Road, Kilmarnock, KA3 7BU.

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

3/10/11

My application to site a garage on my property was refused by a planning officer citing policies and the local plan. It is said the proposal would result in a "significant detrimental impact on the amenity, character and appearance of the Dundonald Road Conservation Area".

I object strongly to the contention that the development would have any "significant detrimental impact"; indeed any impact would be minimal and insignificant as a whole for the following reasons:

1. All but a small portion of the roof would be concealed behind 6ft walls
2. There were no objections from any of the notified neighbours
3. There is no objection from the Grange/Howard Community Council
4. The application is supported in writing by neighbours
5. The proposal would reduce on-street parking and improve road safety
6. The garage would not be directly overlooked by any neighbouring properties





