

DEVELOPMENT MANAGEMENT REVIEW COMMITTEE

APPLICATION FOR REVIEW

KILNBANK LANE, KIRRIEMUIR

APPLICATION NO 13/00884/PPPL

APPLICANT'S SUBMISSION

ITEM 1. Notice of Review Form

ITEM 2. Copy Correspondence

RECEIVED
 LEGAL & DEMOCRATIC SERVICES
 20 July 2014
 ITEM 1
 TIME 9.10 INTS Jmch

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 2013

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.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	13/00884/PPPL
Forename	Fergus	Forename	Lawrence
Surname	Clark	Surname	Bertram
Company Name		Company Name	
Building No./Name		Building No./Name	
Address Line 1		Address Line 1	Garlowbank Farmhouse
Address Line 2		Address Line 2	
Town/City		Town/City	Kirriemuir
Postcode		Postcode	DD8 4LH
Telephone		Telephone	01575 575900
Mobile		Mobile	
Fax		Fax	
Email		Email	lar@garlowbank.plus.com

3. Application Details

Planning authority

Planning authority's application reference number

Site address

Kilnbank Lane
 Kirriemuir

Description of proposed development

Planning Permission in Principle for Erection of a Dwelling House

Date of application 26th September 2013

Date of decision (if any) 9
10th April 2014

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- 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)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. 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.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, 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 necessary.

I have Submitted further Evidence on the exit from Kilnbank Lane Dated 19th December 2013 which has not been taken into consideration

7. Site inspection

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

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

No

8. 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.

DOCUMENTS ATTACHED DATED 18 NOV
e " 19 DEC 2013

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

- A Additional Information
- B Only came to light at a later date
- C This is very relivent to this application

9. 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

1 Document dated 26th November 2013

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.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

For the attention of Mr Duthie**Response to comments for planning application****13/00884/PPPL****Dated 19th December 2013**

Dear Sirs

It is with some dismay that you have disregarded the actual facts sent to you on the 26th November 2013

Regarding the exit from Kilnbank Lane Please find copy of the same sent on that date

Copy letter dated 26/11/2013**For the attention of Mr Duthie****Response to comments for planning application****13/00884/PPPL****Dated 18th November 2013**

In response to the memo dated 23rd October 2013 (18th November) The sightline to the west, the Y distance is over 40yards, this is in a slow moving 30 mile limit which there has not been an accident in the past 50 years. As pointed out the vehicles from Belford Cottage reversed up the lane to the main road with no accidents

Also it is used by a very elderly lady who has never had a problem. All other entries and exits have in excess of 100 yards visibility This is for entering and leaving Kilnbank Lane

19th December Further Evidence

I would also like to point out that the exit from the Aldi super store in Forfar the Y factor to the right is less than the sightline to the west of Kilnbank Lane also traffic which turns right into the oncoming traffic reducing the sight line

distance This must have been passed as being above standard at some time in the recent past (less than 10 years) the volume in vehicle movement on this county town Forfar Queenswell Road bypass must be many thousands compared with the Glengate in Kirriemuir as there is five large garages two supermarkets three multi national tyre companies a large filling station etc etc where as the Glengate in Kirriemuir has very little traffic and no commercial premises

I find it very difficult to understand your recommendation of refusal when the maximum increase on any given day to Kilnbank Lane would probably be around four exits and four returns I feel that there must be other mitigating circumstances as the facts put before you speak for themselves

Signed

Mr F. Clark