

# 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://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	20/00092/P
Forename	JOHN	Forename	JOHN
Surname	STUART	Surname	FERGUSON
Company Name		Company Name	ARCHITECTS OFFICE
Building No./Name	56	Building No./Name	
Address Line 1	GALT AVENUE	Address Line 1	SETON MAINS GARAGE
Address Line 2		Address Line 2	
Town/City	MUSSELBURGH	Town/City	LONGNIDDRY
Postcode	EH21 8HT	Postcode	EH32 0PG
Telephone	[REDACTED]	Telephone	[REDACTED]
Mobile	[REDACTED]	Mobile	[REDACTED]
Fax	[REDACTED]	Fax	[REDACTED]
Email	[REDACTED]	Email	[REDACTED]
3. Application Details			
Planning authority	EAST LOTHIAN		
Planning authority's application reference number	20-00092/P		
Site address	AS ABOVE		
Description of proposed development	GARAGE / STORE / WORKSHOP (DOMESTIC)		

Date of application

29.1.20

Date of decision (if any)

28.3.20

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.

Please view all current and previously supported documentation before site visit and give fair and full review after site inspection including size and a need for security.

**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:

N/A

### 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.

- Garage/Store not oversized for my land.
- No objections from neighbours
- Need for security after break ins (numerous occasions)
- Built on historical site Battle of Pinkie:
  - Taylor Wimpey has and are still building houses, flats etc.
- Similar garages/stores, within 200m and numerous extensions: front, rear, wrapround. Some complete, some ongoing. Letter attached with options, depending on outcome of this appeal, hopefully not required.

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.

### 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

3 x 2 copies of photos of garage/stores in vicinity of 56 Galt Avenue  
1 Drawing  
Planning Application  
Letter of forced options depending on outcome of appeal.

**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.

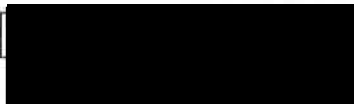


**Note.** Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, 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:

JOHN STUART

Date:

01.06.20

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.

29 May 2020

For the Attention of the Review Panel

After speaking with my architect at some length, he has advised that as a last resort I may require a lawyer, speak to my local councillor, obtain advice from a local historian and/or approach local papers.

However, should my appeal be rejected, some of my options would be to:

1. To sell back the piece of land to the Council, which was purchased for the purpose of a Garage/Store.
2. To place a site container on own land as a temporary measure, which would be less expensive than garage rent £71 per month. I do not wish to upset neighbours as they did not oppose plans, however I may have no other alternative.

I find it a little strange that extensions and garage/stores have been and are currently in the process of being built, in all shapes and sizes throughout my neighbourhood: front, rear, wrap-round, two storey, in addition to Taylor Wimpey being allowed to build private and social housing, all on what is believed to be the same historic battlefields of Pinkie.

I look forward to hearing from you at your earliest convenience and I would be grateful if you could please advise me as soon as possible the date of the review.

Yours sincerely

Mr John C Stuart

