3D Plans, acting as agents for Mr John Wilson, hereby wish to request a review of planning decision 10/01366/FUL on the grounds that the application forms one or more of the requirements set out in the Interim Policy Guidance as the proposed houses 'Round off an Existing Housing Group'.

We demonstrate this by the following;

**Drawing Number 2009.050.WILSON.06**

Here we show an existing layout of the location and have as much as reasonably practical bound the housing group with a red dashed line (1.). We demonstrate that there in fact an existing undeveloped area (2.) to the rear of 'Ardachaidh' which we believe forms the basis for infill housing to round off the existing group.

We also demonstrate that, despite the Planning Officer's report that Westerton is ‘...linear in nature...', there is already a house located in the rear of the housing group (Fairview)(3.) which we feel sets a character for the area contrary to a linear housing group and should therefore set a precedent for further, appropriate development in this area.

**Drawing Number 2009.050.WILSON.07**

On this plan we show how the application sites lie entirely within the gap sites created by the existing housing group.

We also show that, again contrary to the Planning Officer's report that "access is via single track road passing between two houses and passes Fairview on the left" we have in fact utilised an existing access (4.) with the consent of Moray Estates so as not to further burden the residents of Westerton with additional traffic. We have worked in conjunction with Highland Council Area and Roads Manager to create an acceptable access with compliant construction method, bins store and visibility splay (5.).

We also show that the proposed house types are traditional in style and refute the decision and the design is "inappropriate".

The houses are also situated so as to keep the first floor dormer windows for overlooking neighbouring properties. The glazed gable mentioned as overlooking is to the outside of a sun lounge area with vaulted ceiling and no first floor so out looking persons will do so from ground floor level which will restrict any overlooking aspect. In addition, the houses are positioned to the rear of the existing properties which will not hinder the views towards the Moray Firth of the existing houses.
PHOTOGRAPHY

Photographs taken from the roadside demonstrate that the visual impact on the character of the area will be minimal as the new houses will be obstructed from view by the existing houses. The new houses will also be hidden from users of the access road into Westerton by existing woodland which flanks the roadside.

CONCLUSION

We feel we have demonstrated compliance with the Interim Policy Guidance and have contradicted the planning decision on grounds of siting and design, access and impact on character and look forward to hearing your views.

Best Regards

Chris Green
Partner

3D Plans
a- 2 Bath Street, Nairn, IV12 4NA
t- 01667 459 356
m- 07787 434 617
e- chris@3dplansltd.co.uk
w- www.3dplansltd.co.uk
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

<table>
<thead>
<tr>
<th>Applicant(s)</th>
<th>Agent (if any)</th>
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<tbody>
<tr>
<td><strong>Name</strong></td>
<td><strong>Name</strong></td>
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<tr>
<td>MR JOHN WILSON</td>
<td>3D PLANS</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td><strong>Address</strong></td>
</tr>
<tr>
<td>PER AGENT</td>
<td>2 BATH STREET NAIRN</td>
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<td>IV12 4NA</td>
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<td><strong>Contact Telephone 1</strong></td>
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<td>Fax No</td>
<td>Fax No</td>
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<tr>
<td></td>
<td><a href="mailto:chris@3dplansltd.co.uk">chris@3dplansltd.co.uk</a></td>
</tr>
</tbody>
</table>

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 ☐

<table>
<thead>
<tr>
<th>Planning authority</th>
<th>Planning authority's application reference number</th>
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<tbody>
<tr>
<td>HIGHLAND COUNCIL</td>
<td>10/01366/FUL</td>
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</table>

Site address: LAND SOUTH WEST OF FAIRVIEW, DALCROSS

Description of proposed development: ERECTION OF THREE HOUSES

Date of application: 19th MARCH 2010  Date of decision (if any): 20th MAY 2010

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.
1. **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 [☐]

2. **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 [☐]

3. **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:

**TO ALLOW FOR RESPONSE AND CONSIDERATION OF HIGHLAND COUNCIL'S STATEMENTS INCLUDED IN THEIR DECISION NOTICE**

4. **Site inspection**

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

1. Can the site be viewed entirely from public land? [✓]
2. 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:
5. 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 REFER TO ENCLOSED PLANS AND SUPPORTING STATEMENTS.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?  

![Yes ☑ No][1]

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.
6. 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.

SUPPORTING STATEMENT
DWG NO 2009.050.WILSON.06
DWG NO 2009.050.WILSON.07
DWG NO 2009.050.WILSON.08

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.

7. 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.

8. 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 [signature] Date 10/04/10