

- 5 SEP 2014

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	Ms	Ref No.	
Forename	NICHOLA	Forename	
Surname	MACLEAN	Surname	
Company Name		Company Name	
Building No./Name	TIGH NA WEIR	Building No./Name	
Address Line 1	AUCHLYNE ESTATE	Address Line 1	
Address Line 2		Address Line 2	
Town/City	KILLIN	Town/City	
Postcode	FK21 8RG	Postcode	
Telephone	0779 658 1998	Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	LOCH LOMOND & THE TROSSACHS NATIONAL PARK AUTHORITY		
Planning authority's application reference number	2014/0047/DET		
Site address	LOCH LUBHAIR LAY-BY, CRIANLARICH, STIRLING		
Description of proposed development	CHANGE OF USE OF LAND FOR THE SITING OF A MOBILE SNACK BAR (RENEWAL OF TEMPORARY PERMISSION REF (2009/0147/DET))		

Date of application

21 FEBRUARY 2014

Date of decision (if any)

7 MAY 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.

[Empty rectangular box for explanation]

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:

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.

Please see my letter to LLTNP A dated 5 August 2014, which sets out the matters I consider should be considered in determining the review.

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

Attached letter dated 5 August 2014

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: NICHOLA MACLEAN Date: 03-09-2014

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.

Nichola MacLean
Tigh Na Weir
Auchlyne Estate
Killin
FK21 8RG

Email: [REDACTED]@n

5 August 2014

Local Review Body
Loch Lomond and The Trossachs National Park Authority
Carrochan
Carrochan Road
Balloch
G83 8EG

Dear Sir/Madam,

Planning Permission Appeal – Application Reference Number 2014/0047/DET

I am writing to you with my appeal to remove restrictions on planning permission granted by Loch Lomond and Trossachs National Park on May 7th 2014. Please be aware that at the time of my original application, my address was 3 The Square, Cladich, PA33 1BQ but has recently changed to the address listed above.

I am appealing against restrictions on approved planning permission for my Snack Van business at the Loch Lubhair Lay-by. The planning approved gives me an unexplained restriction to trade between 1st March and 31st October only. It was always my intention to start this business to trade throughout the year to support my family and avoid being on benefits. I was not previously aware of any period restriction and historically (prior to National Parks) there were no period restrictions. As well as this, the two other Snack Van businesses within Lomond and Trossachs National Park, located at top of the Rest and Be Thankful and the top of Glen Ogle, do not have this restriction.

I have spoken with local police, Stirling Council Planning Department and National Park Rangers and we are all in agreement that the business at this location throughout the year is of benefit as it not only promotes safety in driving in the winter by providing a safe place to get off the road to have something hot to eat or drink but also deters against misuse of the land – people are less likely to litter, fly tip or fish illegally if someone is there on a daily basis. Although, at first this business may be considered a tourist trade, it is not. My main source of business comes from lorry drivers who are on the road all year and many have voiced their concerns about this service not being available when it is most needed (in the colder winter months).

Finally, my main concern would be how detrimental it is to my business in the whole to close for this period of time. It has taken considerable amount of time to build a client and regular users base and I worry that would then mean having to rebuild this again in March. I have worked very hard to build a reliable and high quality business and believe it would be wrong to shut it down. Although previously raising concerns about this matter with the Planning

Agent, I have been waiting to judge how much of my business is not tourist trade to assess more accurately the impact closing in the winter would have on my business.

I would suggest the most appropriate method of handling this appeal would be a review of all relevant information provided by myself and other parties with no further procedure or the holding of one or more hearing sessions on specific matters.

If you require any further information, please do not hesitate to contact me using the details provided,

Yours sincerely,

Nichola MacLean

Mail Register No. 69564

Passed To: SHARON MINTURE

FOI/EIR: Yes/No

Complaint: Yes/No