

T: [REDACTED]  
E: [REDACTED]

[REDACTED]  
Senior Planner  
Planning and Environment Services,  
Development Management  
Aberdeenshire Council

Your ref: APP/2018/3027  
Our ref: NA-ABS-047  
5 September 2019

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)  
(SCOTLAND) DIRECTION 2009  
CHANGE OF USE OF AGRICULTURAL LAND TO FORM 9 STANCE CARAVAN PARK  
TOURING GYPSY/TRAVELLERS SITE, FORMATION OF ROAD AND ERECTION OF  
BOUNDARY FENCING, WALLS, GATES, PUMP STATION AND AMENITY BLOCKS  
(PART RETROSPECTIVE) AT LAND SOUTH WEST OF ESKVIEW FARM, ST CYRUS**

I refer to your e-mails of 5 August 2019 notifying the above application to Scottish Ministers as Aberdeenshire Council are minded to grant planning permission for this development against the advice of the Scottish Environment Protection Agency (SEPA).

Having considered the proposal, the Scottish Ministers have decided, in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997, to require the application to be referred to them for determination. Accordingly, a Direction, given in terms of Section 46 is enclosed.

The Scottish Ministers have given this Direction in view of the proposed development's potential conflict with national policy on flooding.

Regulation 35 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Ministers will be final. In connection with the service of notice, your attention is drawn to regulation 48 of those Regulations which applies section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy. The planning authority is also required to include a copy of the decision to call in the application on the planning register in accordance with regulation 16 and paragraph 3(d) of Schedule 2.

The application will be submitted to the Directorate for Planning and Environmental Appeals (DPEA) in Falkirk for an examination by a Reporter of all the evidence submitted in accordance with the Town and Country Planning (Appeals) (Scotland) Regulations 2013. I would be grateful if you would prepare all the application documentation and send it to [REDACTED], Head of Performance and Administration, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR who will make arrangements for processing the case. Information can also be sent electronically via DPEA's ePlanning and Sharepoint sites by contacting the DPEA's office mailbox, [dpea@gov.scot](mailto:dpea@gov.scot) for access and advice on use. Thereafter the appointed Reporter has been asked to submit a report with recommendations to Scottish Ministers for their consideration and determination.

Any queries relating to the future handling of the case should be directed to DPEA.

Yours sincerely

## PLANNING DECISIONS

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)  
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CHANGE OF USE OF AGRICULTURAL LAND TO FORM 9 STANCE CARAVAN PARK  
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(PART RETROSPECTIVE) AT LAND SOUTH WEST OF ESKVIEW FARM, ST CYRUS**

The Scottish Ministers, in exercise of the powers conferred on them by Section 46(1) of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that Aberdeenshire Council refer to them for determination the application for full planning permission under the Town and Country Planning (Scotland) Act 1997 received by them from Seath Planning Consultancy Ltd on behalf of North Esk Investments Ltd.

The Scottish Ministers have given this Direction in view of the proposed development's potential conflict with national policy on flooding.

This Direction may be cited as the Town and Country Planning (Reference of Application) (Aberdeenshire Council) (Planning Permission for change of use of agricultural land to form 9 stance caravan park touring gypsy/travellers site, formation of road and erection of boundary fencing, walls, gates, pump station and amenity blocks (part retrospective) at land South West of Eskview Farm, St Cyrus) Direction 2019.

## **PLANNING DECISIONS**

Scottish Government  
Directorate for Local Government and Communities  
Planning and Architecture Division  
Planning Decisions  
Victoria Quay  
EDINBURGH  
EH6 6QQ

5 September 2019