

PLANNING PERMISSION

To:
Conon Brae Farms



Reference No: 10/02152/FUL

Per:
Reynolds Architecture Ltd
1 Tulloch Street
Dingwall
Ross-shire
IV15 9JX

Town & Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) 2006 Act

DECISION NOTICE

**Formation of three serviced house plots and associated landscaping
Land To North Of Smithy Heritage Centre Lochcarron**

The Highland Council in exercise of its powers under the above Acts grants planning permission for the above development in accordance with the particulars given in the application and the following plans/drawings:

Type of Plan	Plan Number	Version No.	Date Plan Received
Supporting Information	20.11.2009	Design Brief	07.07.2010
Location/Site Plan	2009 058-000-A	a	11.05.2010
Supporting Information	01.03.2007	DIA	11.05.2010
Supporting Information	07.07.2007	FRA	11.05.2010

This permission is granted subject to the following conditions: -

- (1.) The development to which this planning permission relates must commence within **THREE YEARS** of the date of this decision notice.

Reason: In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

- (2.) In respect of the houses within each of the plots approved, a further application/s shall be submitted to the local Planning Authority, together with the requisite detailed plans to include:-

- a) plans, sections and elevations of the proposed building/s, and colour and type of materials to be used externally on walls and roof;
- b) Detailed layout of the site as a whole, site levels existing and proposed, including provision for car parking, details of accesses and details of all fences, walls and hedges;
- c) Landscaping proposals including any proposed tree felling, and tree and shrub planting to be carried out

Reason: To ensure a satisfactory form of development since these details have not yet

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been submitted.

- (3.) The houses within each of the plots shall be designed in accordance with the approved design brief which forms part of this permission, unless the approval of the Planning Authority is granted for any variation. Thereafter the development shall be completed in accordance with the approved details.

Reason To ensure that the development progresses in accordance with the design parameters hereby approved and relates in scale and design to the properties in the immediate vicinity of the site in the interest of visual amenity.

- (4.) Notwithstanding the approved design brief referred to by condition 3 above, the development shall be completed in accordance with the recommendations contained within the Flood Risk Assessment (January 2009) and the Drainage Impact Assessment (March 2007), which form part of the planning application hereby approved.

Reason In order to ensure that the site is properly and adequately drained in the interests of public health and safety.

- (5.) Prior to the first occupation of the first house to be completed, the access from the public road shall be 5.5m wide and the first 10 metres of the access road, as measured from the edge of the public carriageway, shall be surfaced in bituminous macadam or similar hard material in accordance with the Highland Council's road guidelines for new developments. Gradient of access over first 5 metres must not exceed 1 in 16. Positive drainage measures shall be undertaken, in accordance with Highland Council Guidelines, to ensure that no ground or surface water flows onto the public road from the site. Visibility splays of 2.5 x 180m shall be provided at the junction with the public road and maintained in perpetuity.

Reason: In the interest of road safety and to prevent deleterious materials being carried onto the road.

- (6.) Prior to the first occupation of each house visibility splays of 2.5 x 60m shall be provided at the access to the plot as shown on the approved drawing (2009-058-000-A) and maintained in perpetuity.

Reason: In the interest of road safety.

- (7.) Prior to the first occupation of the first house completed a surfaced service lay-by and refuse bin storage area shall be provided clear of the public road at the access point to the Highland Council's Road Guidelines for New Developments.

Reason: In the interest of road safety.

- (8.) Notwithstanding the approved design brief referred to by condition 3 above, provision shall be made and thereafter maintained in perpetuity for the parking and turning of two cars within the curtilage of each house prior to first occupation of the house.

Reason: In the interest of road and public safety

- (9.) Notwithstanding the approved design brief referred to by condition 3 above, the houses shall be designed as a single or 1½ storey properties and shall incorporate the following traditional design elements:

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- Vertical emphasis to the windows.
- Roof pitch of no less than 40°
- External gable walls maximum width of 7.8m
- Roof shall be finished with natural slate or a slate substitute. For the avoidance of doubt, a slate substitute does not include a 'concrete tile'.
- External walls shall be finished with a wet dash harl either white, cream or off white in colour

Reason: To ensure that the houses relate in scale and design to the properties in the immediate vicinity of the site in the interest of visual amenity.

- (10.) The development shall be landscaped in accordance with the approved planting schedule and as follows:-
- (a) Completion of the scheme during the first planting season following the date of this decision notice, or such other date as may be approved in writing with the Planning Authority.
 - (b) The maintenance of the landscaped areas for a period of three years or until established, whichever may be longer. Any trees or shrubs removed, or which in the opinion of the Planning Authority are dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.

FOOTNOTE TO APPLICANT RELATIVE TO APPLICATION 10/02152/FUL

Conditions: Your attention is drawn to the conditions attached to this permission. Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to meet these conditions may invalidate your permission or result in formal enforcement action.

Flood Risk: It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (of emanating from) the application site. As per Scottish Planning Policy 7: Planning & Flooding, planning permission does not remove the liability position of developers or owners in relation to flood risk.

Statutory Requirements: The following are statutory requirements of the Town and Country Planning (Scotland) Act 1997 (as amended). Failure to meet their respective terms represents a breach of planning law and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development (NID) in accordance with Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority prior to work commencing on site. Furthermore, work must not commence until the notice has been acknowledged in writing by the Planning Authority.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to the Planning Authority.

Copies of the notices referred to are attached to this consent for your convenience.

Amendments to design parameters in design brief 7 July 2010

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Variations
None.

Section 75 Agreement
None.

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NOTIFICATION TO APPLICANT

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed local development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to:
Highland Council Review Body Administration Team, Chief Executive's Service, Council Headquarters, Glenurquhart Road, Inverness.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

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To:
 Planning & Development Service
 Highland Council
 Council Offices
 84 High Street
 Dingwall
 IV15 9QN

IMPORTANT: Failure to notify the planning authority of the initiation of development constitutes a breach of planning control.

Notification of Initiation of Development

In accordance with Section 27A 1997 Planning Act (as amended) you are advised of the initiation of the following development:

Formation of three serviced house plots and associated landscaping at Land To North Of Smithy Heritage Centre Lochcarron

Date of planning permission:

(a)	Insert full name and address of the person(s) intending to carry out the development*
(b)	Insert full name and address of the owner(s) of the land to which the development is related if different from (a)
(c)	Where a person is, or is to be, appointed to oversee the carrying out of the development on site, include the name and contact details of that person

*In the first instance any correspondence relating to the Notification of Initiation of Development will be addressed to this person.

Signed agent/applicant

Dated