

## PLANNING PERMISSION

Reference No: 17/05310/FUL

To:  
Balintore & Hilton Community Council  
Mr Ross Balfour  
Seaboard Hall  
East Street  
Balintore Near Tain  
IV20 1UA

Per:  
Debbie Oliver  
An Caladh  
12A King Street  
Hilton Near Tain  
IV20 1UZ

**Town and Country Planning (Scotland) Act 1997 (As Amended)  
Planning Etc. (Scotland) Act 2006**

## DECISION NOTICE

### **Erection of 24' x 60' Community Polytunnel & boundary fencing at Balintore Harbour Green at Shore Street, Balintore**

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 documents:

| <b>Document Type</b>          | <b>Document No.</b> | <b>Version No.</b> | <b>Date Received</b> |
|-------------------------------|---------------------|--------------------|----------------------|
| Location Plan                 | SEAPOLY-001         |                    | 11.11.2017           |
| Site Layout Plan              | SEAPOLY-002         |                    | 11.11.2017           |
| Proposed Floor/Elevation Plan | SEAPOLY-003         |                    | 11.11.2017           |
| Visual Information            | SEAPOLY-004         |                    | 11.11.2017           |

### **CONDITIONS AND REASONS**

This permission is granted subject to the following conditions and reasons: **NONE**

#### **Variations**

None.

#### **Section 75 Obligation**

None.

### **IMPORTANT INFORMATIVES**

Please read the following informatives and, where necessary, act upon the requirements specified:

**Dated: 10th January 2018**

*Bob Robertson*

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**Area Planning Manager**

**REASON FOR DECISION**

The proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application.

**TIME LIMITS**

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within **THREE YEARS** of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

**FOOTNOTE TO APPLICANT**

**Initiation and Completion Notices**

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

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

**Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

**Construction Hours and Noise-Generating Activities:** You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

**Dated: 10th January 2018**

*Bob Robertson*

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**Area Planning Manager**

**Building Regulations**

Please note that Building Regulations and/or a Building Warrant may be applicable to some or all of the works described in this decision notice. You must check with the Council's Building Standards service prior to work commencing to establish what compliance or approval is necessary. If a warrant is required, you must not commence work until one has been applied for and issued. For more information, please contact Building Standards at [BuildingStandards@highland.gov.uk](mailto:BuildingStandards@highland.gov.uk) or on 01349 886608.

**Land Ownership/Planning Permission**

For the avoidance of doubt, the existence of planning permission does not affect or supersede an individual's ownership or other legal rights. Please be advised that this permission does not entitle you to build on, under or over ground outwith your ownership or to enter private ground to demolish, construct or maintain your property.

**Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). 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 adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action.

**Dated: 10th January 2018**

*Bob Robertson*

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**Area Planning Manager**

**RIGHT OF APPEAL, REVIEW ETC.**

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 (as amended) within three months beginning with the date of this notice. Notices of Review can be submitted online via the ePlanning portal at <https://www.eplanning.scot>. Alternatively the Notice of Review can be emailed to [review.body@highland.gov.uk](mailto:review.body@highland.gov.uk) or addressed to:

Highland Council Review Body  
eProcessing Centre  
Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX

Please quote the relevant application reference number with any submission.

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 (as amended).

**Dated: 10th January 2018**

*Bob Robertson*

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**Area Planning Manager**

To:  
Electronic Processing Centre  
Highland Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX

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| <b>Notification of Completion of Development</b> |
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In accordance with Section 27B 1997 Planning Act (as amended) you are advised of the completion of the following development:

**Erection of 24' x 60' Community Polyunnel & boundary fencing at Balintore Harbour Green at Shore Street, Ballintore**

Date of planning permission: 10th January 2018

|     |  |
|-----|--|
| (a) | Insert date of completion of development                                     |
| (b) | Insert name and address of the person submitting Notification of Completion* |

\*Any correspondence relating to the Notification of Completion will be addressed to this person.

Signed ..... agent/applicant

Dated .....

To:  
Electronic Processing Centre  
Highland Council Headquarters  
Glenurquhart Road  
Inverness  
IV3 5NX

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

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| <b>Notification of Initiation of Development</b> |
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**Erection of 24' x 60' Community Polytunnel & boundary fencing at Balintore Harbour Green at Shore Street, Balintore**

Date of planning permission: 10th January 2018

In accordance with Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) you are advised it is intended to initiate the above development on the following date:

|     |  |
|-----|--|
| (a) | Insert date of initiation.   |
| (b) | Insert full name, email address (if available) and address of the person(s) intending to carry out the development*                                    |
| (c) | Insert full name and address of the owner(s) of the land to which the development is related if different from (b)                                     |
| (d) | 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 .....