

Notice of Review Reference: 14/00027/RBCON

Original Planning Reference: 14/00970/FUL

## **DECISION NOTICE OF THE HIGHLAND COUNCIL PLANNING REVIEW BODY**

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- Application for review by Wild Furniture (Mr Sandis Mitenbergs)
- Site address: Land at Quarry, 300m SW of Lentach Cottage, Dulnain Bridge
- Proposal: Change of use of land to Class 5 (general industrial) and Class 1 (Retail)
- Reason for Notice of Review: Conditions imposed by appointed officer
- Related Plans:

<u>Type of Plan</u>	<u>Plan No.</u>	<u>Version</u>	<u>Date Plan Received</u>
Location Plan	000002		07.03.2014
Site Layout Plan	000003		07.03.2014
Location Plan	000001		07.03.2014
Elevations	000004		07.03.2014

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This Notice constitutes the formal decision notice of the Planning Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

The Planning Review Body **dismissed** the Notice of Review, and agreed that the original condition and reason noted below should stand unaltered, namely:

1. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 1<sup>st</sup> June 2015 (the 'cessation date'). Prior to the cessation date, the use of the land for the manufacturing and construction of timber products and any associated buildings and ancillary works shall be removed from the land.

**Reason:** to ensure that the development does not become permanent, in the interests of the area's visual amenity.

### **REASON FOR DECISION**

The Planning Review Body was minded that the proposals did not accord with the provisions of the Development Plan due to the location and lack of services available, but that Scottish Government Guidance in relation to support of small businesses (particularly in early start-up to allow some continuity, but at the same time an opportunity to seek a more appropriate

and longer term operational base elsewhere) was a material consideration which justified the timescale set out in the original planning permission, but could not justify any extension of time allowed.

Dated: 9 October 2014

Clerk to the Planning  
Review Body

**Notice Under Regulation 22 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013**

1. If the applicant is aggrieved by the decision of the planning authority-
  - (a) to refuse permission for the proposed development;
  - (b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; or
  - (c) to grant permission or approval, consent or agreement subject to conditions,the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
  
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 the 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 V of the Town and Country Planning (Scotland) Act 1997.