

Notice of Review Reference: 14/00016/RBREF

Original Planning Reference: 13/002211/PIP

DECISION NOTICE OF THE HIGHLAND COUNCIL PLANNING REVIEW BODY

- Application for review by Mr & Mrs R Clegg
- Site address: Land 185M NW Of The Flat, Samalaman House, Glenuig, Lochailort
- Proposal: Erection of house
- Reason for Notice of Review: Refusal of application by appointed officer
- Related Plans:

Type of Plan	Plan No.	Version	Date Plan Received
Location Plan	02		13.06.2013
Location Plan	01		13.06.2013

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, for the reasons noted below, namely:

1. The proposed development, which is in an isolated situation in the wider countryside, would be on elevated ground on the shore side of the road, and would require a driveway approximately 225m in length, would not fit sympathetically into the landform, contrary to policies 28, 29 and 36 of the Highland-wide Local Development Plan and Housing in the Countryside Supplementary Planning Guidance.
2. At least 215 trees would be lost as a direct result of development of the house together with a reasonable curtilage, services, access, parking, turning, storage and adequate visibility splays, the majority of which are within Ancient Woodland of Semi Natural Origin, In addition it has not been satisfactorily demonstrated that the remaining 15 trees included in the Tree Survey for the site, would not be lost as a result of their roots being damaged by the construction of the driveway. The development would therefore be contrary to Scottish Government Policy Guidance, Policy 51 of the Highland-wide Local Development Plan and the Council's Trees, woodlands and Development Supplementary Guidance January 2013.
3. In introducing residential development to the top of a wooded rocky knoll overlooking the coast, the development of this site would be detrimental to, and erode this wild

and rugged coastal landscape, which is characterised by rocky promontories and lengths of richly wooded wild coastline, to the detriment of the Moidart, Morar and Ardnamurchan National Scenic Area, contrary to Scottish Government Policy Guidance and Policies 57 and 61 of the Highland-wide Local Development Plan.

Dated: 22 August 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.