

Notice of Review Reference: 13/00041/RBREF

Original Planning Reference: 13/00017/FUL

DECISION NOTICE OF THE HIGHLAND COUNCIL PLANNING REVIEW BODY

- Application for review by Mr Tallach
- Site address: "Ebenezer" 5 Upper Breakish, Isle of Skye, IV42 8PY
- Proposal: Full, Permanent Planning for Mobile Home; as a Croft House
- Reason for Notice of Review: Refusal of application by appointed officer
- Related Plans:

Type of Plan	Plan No.	Version	Date Plan Received
Layout Plan	000001		07.01.2013
Site Layout Plan	000002		08.02.2013
Site Layout Plan	000003		08.02.2013

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 caravan and fencing, by virtue of their utilitarian form and materials, prominent siting, low-quality visual appearance and incongruous relationship with the established surrounding residential settlement pattern and built form, are considered to have an unacceptably detrimental impact upon public visual amenity and to fail to meet the visual development standards set out in the Development Plan. The proposal is, therefore, considered to be contrary to the requirements of Policies 28, 29, 34 and 61 of the Highland-wide Local Development Plan 2012.
2. The proposal, by virtue of the lack of foul drainage information submitted as part of the application, has failed to demonstrate that the residential use of the caravan will not result in unacceptable pollution of the environment. Consequently, the proposal is considered to be contrary to the requirements of Policy 65 of the Highland-wide Local Development Plan 2012.

Dated: 29 January 2014

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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.