

THE HIGHLAND COUNCIL

NORTH AREA PLANNING APPLICATIONS COMMITTEE  
16 September 2014

|             |             |
|-------------|-------------|
| Agenda Item | 5.5         |
| Report No   | PLN/065a/14 |

14/01464/PIP: Rubicon Land Ltd And Lochalsh And Skye Housing Association  
Land 100M NW Of 10 Bealach Nan Ciobairean  
Home Farm  
Cearn An Leth-Uillt, Portree

Supplementary Report No. 1 by Area Planning Manager

## SUMMARY

**Description** : Erection of a Class 1 foodstore and petrol filling station with associated car parking, landscaping and access.

**Recommendation - GRANT**

**Ward** : 11 - Eilean A' Cheò

**Development category** : Local Development

**Pre-determination hearing** : n/a

**Reason referred to Committee** : Discretion of Area Planning Manager.

## 1. BACKGROUND

- 1.1 This application is recommended for approval, subject to the conclusion of a Section 75 Agreement to ensure financial contributions from the developer of the site towards the cost of providing a satisfactory level of public transport to the site and a Portree town centre improvement scheme.
- 1.2 Should members determine to approve the application, and the Section 75 agreement is not concluded within four months of the date of this decision, then the Council's Scheme of Delegation requires the application to be refused. In this scenario a reason for refusal would be necessary, and this provided below.

**REASONS FOR REFUSAL** (If the S. 75 Agreement is not concluded within a four month period from the date of the committee decision)

1. The development is contrary to policies 28, 31 and 40 of the Highland wide Local Development Plan as the applicants have failed to conclude a Section 75 Legal Obligation to provide security over developer contributions necessary towards the cost of providing a satisfactory level of public transport to the site and a Portree town centre improvement scheme to mitigate the impact of the diversion of trade from this centre.

Signature: Dafydd Jones  
Designation: Area Planning Manager - North  
Author: Graham Sharp  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: See main committee report