

THE HIGHLAND COUNCIL

SOUTH PLANNING APPLICATIONS COMMITTEE
23 June 2015

Agenda Item	7.4
Report No	PLS/047/15

14/04549/FUL: Mrs Ann Edwards
Angelshare, Abriachan, Inverness

Report by Area Planning Manager - South

SUMMARY

Description: Amend layout and erect 2 temporary toilet/shower blocks for 2 years (amendment to 10/03513/FUL)

Recommendation - GRANT

Ward : 13 - Aird and Loch Ness

Development category : Local

Reason referred to Committee : Manager's discretion given planning history

1. PROPOSED DEVELOPMENT

- 1.1 The applicant seeks an amendment to planning permission reference 10/03513/FUL to erect 2 temporary toilet/shower blocks for 2 years and permanent consent for the amended design and layout of 10 camping pods. The pods are located to the west of the site, and are timber clad and measure 2.5m by 4.8m and extend to 2.5m in height. The temporary toilet/shower blocks are located at the east end of the site at the entrance and consist of 2 portable cabins. The pods have changed in terms of siting, moving from a linear form to a radial form, and there has been a slight change in their design. The parking is to be located at the entrance. A Tree Retention Plan has been submitted.
- 1.2 There is an existing foulwater treatment plant *in situ* which was installed prior to the submission of this application and without consultation with Building Standards. The proposed entrance remains as before and vehicular access will be along the existing track leading down to the public road, C1072.

2. SITE DESCRIPTION

- 2.1 The site is to the south of the applicant's house, within coniferous woodland, and slopes to the southwest. Part of the site has now been cleared to form the car park area, space for the temporary toilets and the pods. The closest properties are the former schoolhouse to the southwest and Tigh Grianach to the east.

3. PLANNING HISTORY

- 3.1 10/03513/FUL was granted in July 2011 for 10 timber camping pods (shelters) with a building to incorporate a camp kitchen, toilets and shower block.
- 3.2 Enforcement action per case 14/00288/ENF. An Enforcement Notice was served on the applicants on 29 October 2014 as a result of a breach of planning control involving unauthorised works on site.
- 3.3 Building Warrant 13/01227/ERC for erection of kitchen, toilet/shower block for camping shelters granted on 13 May 2015.
- 3.4 Enforcement action per case 14/00035/BWENF. Section 27 - Building Enforcement Notice served on 28 November 2014 requiring the applicants to stop work on the site.

4. PUBLIC PARTICIPATION

- 4.1 Advertised : Unknown neighbour 09.01.2015
Representation deadline : 09.01.2015

Timeous representations : 5

Late representations : 0

- 4.2 Material considerations raised are summarised as follows:

- **Breaches of planning consent** - All of the construction to date has taken place without the benefit of a Building Warrant, or a planning permission to amend/alter the plans approved with planning consent 10/03513/FUL or to vary any of the conditions prior to opening to the public in summer 2014. Few of the planning conditions of the original application have been adequately addressed by the applicant. This has resulted in the service of a Building Standards Enforcement Notice and a Planning Enforcement Notice. This is a retrospective planning application and an attempt to legalise retrospectively all the breaches of planning conditions and building without a Building Warrant. The applicant has attempted to maximise profit at the expense of public safety and visual amenity, continuing to trade after the issue of the Enforcement Notices until such time as they took effect. Should not be granted time to accumulate income in order to permit compliance with the original submitted plan for a camp kitchen/toilet/shower block as cannot be relied upon to comply with any conditions imposed. The evidence indicates that this timeframe will become extended until such time that Highland Council will become statute barred from enforcing removal of the temporary structure and compliance with the proposed building.
- **Foulwater drainage:** Nothing in this new application reassures residents on this issue. The system cannot be functioning properly and there has been an intolerable and very unpleasant smell even in December/January emanating from the area of the septic tank/treatment plant. This will get worse once there is full occupancy of the pods and once the weather becomes warmer. The camp site is sited on impervious clay subsoil, so a foul water treatment plant has been specified, which is directly beside the access track, so the smell has immediate and detrimental impacts on residents and walkers.

- Applicant intends to apply to SEPA for a licence to discharge from the alleged water treatment plant directly into the Le Allt Burn but will need to cross land which they do not own. This matter is a civil issue to be decided between the parties concerned and was made a suspensory condition of the original consent. To date this issue has not been resolved and does not appear likely to be so. The applicant has had 3 years to resolve the issue but has so far chosen not to take the matter to court to test their assertions. Foulwater system should not be used until a licence has been obtained from SEPA.
- **Surface water drainage:** The new layout plan shows a pond which appears to be for the collection of surface water. This is beside the track and will spill onto the track after heavy downpours. Any surplus water run off would come down the track and onto the public road C1072, causing damage to the track all year and ice in winter.
- **Vehicular access across the track:** The executors of the estate of the late Duncan Edwin Macdonald objected to the last application on the grounds the applicants do not have legal vehicular access to this site. Whilst this is another civil matter to be decided between the parties the applicant has had twelve years to resolve this issue and chosen not to do so. The track has not been improved and the construction of the bellmouth onto the C1072 is not done to a high standard. This matter is being pursued by Highland Council Roads and should be concluded before any consideration is given to granting this applicant permission to carry out any more development. The public road has not been resurfaced to the width of the bellmouth and the surface has deteriorated. Concrete run off from work done on the bellmouth has rendered the surface of the public road to the width of the bellmouth completely smooth and hazardous. Residents (who use the track on a daily basis) are concerned that the work done at the junction of the access track and the C1072 has not been done in a professional manner. This site entrance is on a bend and up a fairly steep slope so it must be done to a high standard, as it will deteriorate rapidly. Any future work done on the public road should be done by a contractor approved by the Authority.
- **Working hours:** During construction, residents have reported consistent breaches of condition 4 with the use of heavy machinery over several hours on many Sundays - particularly irritating was the reversing 'bleep' as the machine moved among the trees.
- **Landscaping, tree planting and tree protection plan:** Residents have not seen evidence of any meaningful landscaping or compensatory tree planting. The screening placed around the portable cabins is entirely inadequate. Work has been done to install pods and create car parking which has involved heavy machinery moving amongst trees, all without the benefit of a plan detailing the trees, both roots and crowns. Work has been done amongst the trees without a tree protection plan and trees may continue to be lost over time without replacement.

As well as benefiting the environment and providing habitat (red squirrels in the area) trees provide screening for surrounding properties. Tree Protection Plan should be prepared by a professional arboriculturalist, who would be impartial and provide evidence of any damage to trees that has already been occasioned by the work done so far. Also prepare a Tree Protection Plan for any further work which may be approved and a Landscape Plan to show supplementary planting required to screen the site to protect visual amenity.

- **Visual amenity:** The appearance of the development and the materials used are of concern as 2 steel portable cabins have been used instead of the approved permanent timber-clad building (with inside kitchen/dining room with disabled access). Some of the work appears to have involved the use of second-hand materials - eg the septic tank, and the steel portable cabins which have been converted into toilet and shower facilities. No details on the actual size, construction and interior layout of the existing cabins, but their net visual effect resembles a building site, and not a high quality development. Their location at the entrance to the site and their high visual prominence make them impossible to disguise. This temporary measure is not acceptable in visual terms to the residents of the area, to those who use the track for walking and biking - and also to those who pay to stay at the site. Given the poor compliance record of the applicant, there is little confidence that they will adhere to any time limit imposed.
- **Residential amenity:** The adverse visual impacts of this temporary service structure; and the potential adverse impacts of a failing foul water disposal system. This development will have a detrimental impact on the residential amenity of neighbours.
- **Contrary to Policy:** HwLDP Policy 28 (Sustainable Design) and HwLDP Policy 44 (Tourist Accommodation).

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet www.wam.highland.gov.uk/wam. Access to computers can be made available via Planning and Development Service offices.

5. CONSULTATIONS

5.1 **Environmental Health:** The design of these accommodation pods means that they fall within the definition of a caravan in terms of The Caravan Sites Control and Development Act 1960. Consequently the development would require a caravan site licence. The applicant would require to meet the licence conditions which the Council has adopted for such sites. No such licence has been applied for.

5.2 **Transport Planning:** The comments made by Transport Planning in respect of the previous application (which this seeks to amend) are referred to and their comments are summarised:

The C1072 public road re-surfacing, required along the frontage of the access junction, must tie in to the bellmouth surfacing. The limit of the road boundary at this location is to boundary walls or fences or in open ground 3m from the edge of the surfaced carriageway. Accordingly, the Council can give permission for the first 3m of the access bellmouth to be surfaced as part of the required re-surfacing works. It would be beneficial that the remaining 3m of the access bellmouth is also surfaced, although the re-surfacing works to the C1072 can be considered to offset this if surfacing beyond the 3m limit is problematic.

Existing visibility splays should be improved to 2.4m by 90m in each direction. These splays should be provided and maintained prior to the start of construction. A reduction from the 90m may be acceptable subject to prior agreement and this is possible to the north due to the existing restricted visibility on that property.

The storage and collection of refuse must meet the requirements set out by the Council's Waste Management Team and is expected to be from the public road unless alternative solutions are provided by the applicant. Provision for the standing of bins adjacent to the access junction, outwith visibility splays, is required.

Secure, enclosed cycle parking should be provided for 2 cycles per camping unit. This would require 10 'Sheffield Type' stands.

Parking within the site is remote from the public road and 10 parking spaces are reasonable for the camping units, although an additional 2-3 spaces would be preferable for operational purposes. Beneficial but not essential to set back the parking bays from the access track a minimum of 10m to aid vehicle manoeuvring.

- 5.3 **Forestry Officer:** The site contains mature Scots Pine woodland with occasional juniper and birch. Need to consider the scale and the layout of the proposals, taking greater consideration for the trees on site. Tree planting proposals should aim to integrate the development into the woodland. The applicant will need to supply a landscape plan which provides tree planting in mitigation for trees to be removed.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 Highland-wide Local Development Plan (HwLDP) 2012

28	Sustainable Design
43	Tourism
44	Tourist Accommodation
51	Trees and Development
52	Principle of Development in Woodland
65	Waste Water Treatment
66	Surface Water Drainage

6.2 **Inverness Local Plan**

Section 17 Abriachan

2 Business

7. **OTHER MATERIAL CONSIDERATIONS**

7.1 **Inner Moray Firth Local Development Plan (IMFLDP) - The Modified Plan**

7.2 The Examination of the IMFLDP by the Scottish Government Reporters was completed by way of their Decision Letter of 20 March, 2015. This is due to be reported to the Council later in the year but is now a material consideration.

Policy 3 – Other Settlements is relevant

Development within or adjoining the settlements listed below must address the relevant criteria listed below to be supported. Proposals will be assessed against the extent to which they:

- are located within active travel range of at least one community/commercial facility and the proposal is likely to help sustain that facility;
- are similar in terms of its spacing, scale and density to development within or adjoining that existing settlement, including consideration of and respect for whether the local facility serves a wider dispersed rural settlement or concentrated village;
- may harm the character and social balance of that community or may regenerate a community that is losing facilities, services and/or its permanently resident population. In this case proposals will be assessed as to whether the number and capacity of permissions granted within that settlement over the five year period prior to the proposal being determined suggest that these changes may occur;
- can utilise spare, existing capacity in the infrastructure network (education, roads, other transport, water, sewerage etc.) within or close to that settlement or new/improved infrastructure could be provided in a cost efficient manner;
- avoid a net loss of amenity / recreational areas significant to the wider local community; and
- would result in an adverse impact on any other locally important heritage feature (which may include a war memorial, burial ground, important public viewpoint/vista or open space).

7.2 **Highland Council Supplementary Planning Policy Guidance**

Flood Risk and Drainage Impact Assessment

Trees, Woodlands and Development

7.3 **Scottish Government Planning Policy and Guidance**

Not applicable

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

8.3 Development Plan Policy Assessment

8.3.1 The previous application (10/03513/FUL) was considered to comply with the relevant planning policies in force at that time and was granted planning permission subject to a number of conditions. Given the extant consent, the principle of development has already been established and is not under consideration. It is however worth noting that whilst Development Plan policy has been updated since the original application by the Highland-wide Local Development Plan, there remains general support within the Hinterland areas for tourist facilities. Such developments must also comply with Policy 28 Sustainable Design where it states that development must not have adverse impacts on individual and community residential amenity; and must demonstrate sensitive siting, high quality design and use of appropriate materials.

This current proposal however seeks only to amend the previously approved layout and to regularise the unauthorised development. This involves a revised layout for the ten camping pods which are now located in a generally circular arrangement in place of the approved linear layout. It also seeks retrospective consent for a revised parking layout, and temporary permission (for 2 years) of the *in situ* but unauthorised temporary toilet and shower blocks. It is then intended to install the previously approved shower/toilet and kitchen block in the agreed position to the north of the site. In addition, the design of the camping pods has altered with this permission now seeking to also regularise that breach and deviation from the design originally granted permission.

This current proposal is chiefly involved with seeking to obtain the relevant consent for the unauthorised development and accordingly, it is considered that in recognition of the previous permission, the variations proposed do not warrant a change in recommendation, and the proposal is still viewed as complying with policy.

8.4 Material Considerations

8.4.1 Residents surrounding the site have raised several issues of concern about the proposal and the Community Council have reflected these in their representation.

8.4.2 Unauthorised works – The applicant undertook works to site the 2 temporary toilet/shower blocks and to site the camping pods in their present location without the necessary planning permission, and has not fully complied with conditions of consent 10/03513/FUL. After extensive discussion between the applicant and officials from Planning and Building Standards this retrospective application for planning permission was submitted.

Further information was provided in relation to foulwater drainage in terms of the building warrant previously submitted, which has allowed the issue of the building warrant to be resolved.

The concerns expressed by the residents relating to the failure of the applicant to adhere to the terms of his previous planning permission are shared and there can be no doubt that the applicant should have sought the appropriate permissions before undertaking the changes to his original planning permission.

The applicant responded after the service of a planning enforcement notice and submitted this application within the specified timescale. The planning enforcement notice is in abeyance pending the outcome of the application. However, the unauthorised works must be assessed in terms of their merits and their compliance with policy rather than the fact they are a breach.

8.4.3 Design and layout – The reconfiguration of the 10 pods into their present location is acceptable, indeed better, in visual amenity terms, and the change in design is likewise satisfactory. The proposed temporary portable cabins, whilst not ideal, can be accepted as a temporary stop gap before installation of the shower/toilet and kitchen block. The concerns expressed by residents about permitting a further extended period for this temporary facility is understood and there can be no doubt that the design of the units installed is not appropriate on a long term basis for the location. It will be a condition of any grant of planning permission that the units are restricted for a period of two years as requested by the applicant and that, within that timescale, it provides the opportunity for them to erect the permanent building in accordance with the approved plans.

8.4.4 Foulwater and surface water drainage – The applicant installed a treatment plant for drainage disposal without consultation with Building Standards as part of the determination of the building warrant. Extensive discussions have been carried out between Building Standards and the applicant and their agent to determine the type of plant as no details were supplied prior to its installation. The conclusion reached was that the plant did not meet the requirements of the Regulations. A system has now been agreed with sufficient details to allow issue of the Building Warrant. As a result this now allows for determination of the planning application.

The existing tanks will be used for storage of water to meet the provisions of Building Standards in terms of ensuring a water supply in the event of a fire. Surface water drainage facilities are necessary for the approved proposed building, the kitchen, toilets and shower block and for the temporary toilet block. The proposed pond shown on the plan is intended to provide this facility for the development. The applicant intends to apply to SEPA for a licence to discharge from the water treatment plant directly into the Le Allt Burn but will need a pipe to cross land to the south which they do not own although over which the applicant claims servitude rights. This matter is a civil issue to be decided between the parties concerned and was made a suspensive condition of the original consent. Given the continuing requirement to resolve drainage issues, it is intended to include a similar condition seeking details and implementation of an appropriate and adequate foul and surface water drainage system before any use of the pods continues.

- 8.4.5 Access – The Planning Committee requested a condition about upgrade of the section of the track between the public road and the entrance to the proposed development. The applicant is unable to meet this condition as the owner of the track will not allow the works to be undertaken. It is considered unreasonable to insist on this condition in the knowledge that it cannot reasonably be complied with. This is unfortunate and will result in little or no improvement of the existing track despite the potential for an increase in use. However, taking into account the extant permission and the general support for the principle of development, it is not intended to include a similar condition in this instance. Works were carried out to surface the section of the track back from its junction with the public road in accordance with the terms of the original permission, but this was halted by the owner of the track. Although the Council could insist on the completion by way of an Enforcement Notice, it is evident that there is very little prospect of the works being completed. It should however be noted that the visibility splays have been formed. It is intended to seek improvement of the junction between the access track to the site and the public road insofar as the applicant has control to do so.
- 8.4.6 Working hours – Restrictions on hours of construction were a condition of the previous consent which it is understood was breached on a number of occasions. In accordance with current procedures, it is intended to include an Informative restricting hours of operation and this will be monitored by Environmental Health Services to whom responsibility for noise issues falls in terms of their legislation.
- 8.4.7 Landscaping and tree planting – The site consists mainly of Scots Pine conifer woodland with occasional juniper and birch. With the previous consent it was accepted that trees would need to be felled to form the sites and a tree protection plan and landscaping plan should have been submitted prior to the start of works. This was not done. However, the main area of clearance relates to the east of the site where the parking and toilet block are located. Replacement tree planting is accepted by the applicant and a tree retention plan has been submitted with this application. The site is not considered to be so sensitive that it cannot be developed. It will however be necessary to undertake replacement tree planting and this will be the subject of a condition. In addition, tree protection measures will be required during construction on site.
- 8.4.8 Visual appearance – The two temporary portable cabins are not the best design solution and the building approved with the last consent is the desired outcome. The portable cabins are however only required for 2 years and this seems a reasonable solution given that the applicant has indicated that it is proposed to remove them from site and construct the permanent solution no later than two years from the date of the grant of permission. This too can be governed by appropriate condition.

8.5 **Other Considerations – not material**

- 8.5.1 The manner in which the development has been carried out and the workmanship of the applicant have been called into question. While this is noted there is no means of enforcing the use of a contractor approved by the Council in relation to the road surfacing works nor specifying a higher quality of finish of the portable cabins as these are not viewed as deleterious to visual amenity.

The cessation of the business during enforcement proceedings and until determination of the application would have been a desirable outcome but there were no reasonable grounds to do so as the applicant submitted an application after service of the Enforcement Notice.

The current planning application is the matter before Members, but should the recommendation not be endorsed, it may be appropriate to pursue further enforcement action.

9. CONCLUSION

9.1 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan as a tourist based facility.

There can be no doubt that the failure by the applicant to adhere to the terms of his original planning permission, and the subsequent requirement to serve an Enforcement Notice, is regrettable. The unauthorised works, whilst a deviation from the original permission, are, however, on balance, not considered so deleterious as to justify a refusal of this revised planning application. Nevertheless, with the exception of completing the road as originally required, it is considered essential that all subsequent development should accord with the terms of the grant of this planning permission. Not least, the two portable cabins which currently provide toilet and shower facilities must be replaced by the approved alternative within two years, the current *in situ* buildings being of poor quality design and out of keeping with the rural character of the area.

The comments of the local residents have been taken into account in reaching this recommendation and it is anticipated that by regularising the unauthorised works in the grant of this permission, all future development will proceed in accordance with the approved details.

Whilst the unauthorised works carried out are certainly not condoned, an assessment has to be made on the merits of this application. The amended design and location of the pods are considered acceptable.

10. RECOMMENDATION

Action required before decision issued N

Notification to Scottish Ministers N

Notification to Historic Scotland N

Conclusion of Section 75 Agreement N

Revocation of previous permission N

Subject to the above, it is recommended the application be granted subject to the following conditions and reasons:

1. The pods and associated facilities hereby granted planning permission shall not be used until details of surface water drainage for the entire development including hardstanding and car parking areas have been submitted to and agreed in writing by the Planning Authority and thereafter implemented in accordance with the approved scheme. For the avoidance of doubt, the surface water drainage shall accord with principles of SEPA's best practice on SuDS.

Reason : In order to ensure that the site is properly and adequately drained.

2. The pods and associated facilities hereby granted planning permission shall not be used until the foulwater drainage system (granted under Building Warrant reference 13/01227/ERC) has been installed and completed to the satisfaction of the Planning Authority and thereafter so maintained. In the event of any change to the submitted design, no work will commence on site unless and until such details are submitted to and approved in writing by the Planning Authority and thereafter so installed.

Reason : In the interests of public health.

3. The pods and associated facilities hereby granted planning permission shall not be used until a Tree Protection Plan, a Tree Planting Plan and a Maintenance Programme have been submitted to, and approved in writing by, the Planning Authority. No further development shall be undertaken until the measures identified in the Tree Protection Plan have been implemented and are retained on site for the duration of the construction period. The approved Tree Planting Plan shall be implemented in full during the first planting season following commencement of development, or as otherwise approved in writing by the Planning Authority, with maintenance thereafter being carried out in accordance with the approved Maintenance Programme.

Reason : In the interests of the amenity of the area.

4. The pods and associated facilities hereby granted planning permission shall not be used until details of any site construction and materials compound together with details of the location and storage of any top soil have been submitted to and agreed in writing by the Planning Authority and thereafter implemented in accordance with the approved layout.

Reason : In the interests of residential amenity.

5. The use of the pods and associated facilities hereby granted planning permission shall be restricted for the purposes of providing holiday accommodation only. The units together with all facilities shall comprise a single planning unit and none of the camping pods may be disposed or sold off separately to the satisfaction of the Planning Authority.

Reason : For the avoidance of doubt and to clarify the terms of the consent.

6. Planning permission for the two portable cabins is hereby granted for a temporary period only and shall cease to have effect on 30 June 2017 (the 'cessation date'). Prior to the cessation date, the portable cabins shall be removed from the site together with all associated infrastructure and the parking spaces formed to serve the development as granted per consent 10/03513/FUL. For the avoidance of doubt, the use of the camping pods shall cease on 30 June 2017 unless the alternative toilet facilities as granted under planning permission 10/03513/FUL have been erected and completed prior to the cessation date.

Reason : In recognition of the temporary nature of this aspect of the proposed development, to enable the Planning Authority to reassess the impact of the development after a given period of time, and to secure removal and restoration.

7. The use of the pods and associated facilities hereby granted planning permission shall not be implemented unless details of the alterations to the junction of the access track with the public road are submitted to and agreed in writing by the Planning Authority and thereafter implemented and completed in accordance with the approved scheme. The improvements include the access junction onto the C1072 public road to be altered in accordance with Drawing no. SDB 2 of the Council's Access to Single Houses and Small Housing Developments booklet or alternatively to a 5.5m wide bellmouth with 6m radii and surfaced over the first 3m from the edge of the public road. Unless otherwise approved in writing by the Planning Authority, the C1072 shall be re-surfaced over its full width along the frontage of the access.

Reason : In the interests of road traffic safety.

8. Where the access track meets the C1072 public road, the visibility splay of 2.4m by 90m formed to the south shall be kept clear of any obstruction to the satisfaction of the Planning Authority.

Reason : In the interests of road traffic safety.

9. The pods and associated facilities hereby granted planning permission shall not be used until details of a covered and secure communal bicycle storage/racking system for 2 cycles per camping pod have been submitted to, and approved in writing by, the Planning Authority and thereafter installed in accordance with the approved details.

Reason : To comply with Council policy on the provision of cycle facilities within developments.

10. The pods and associated facilities hereby granted planning permission shall not be used until details of the proposed method of storage and collection of refuse have been submitted to and agreed in writing by the Planning Authority and thereafter implemented in accordance with the approved scheme.

Reason : In the interests of public health and to meet the Supplementary Guidance for Managing Waste in New Developments.

11. The pods and associated facilities hereby granted planning permission shall not be used until details of the car park layout have been submitted to and agreed in writing by the Planning Authority and thereafter installed in accordance with the approved details. For the avoidance of doubt a further 3 spaces shall be provided with all spaces set back a minimum distance of 10 metres from the access track to aid vehicle manoeuvring.

Reason: In the interests of road traffic safety.

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

Time Limit For The Implementation of This Planning Permission: 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.

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.

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as dropped kerb consent, a road openings permit, occupation of the road permit etc.) from TECS Roads prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local TECS Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

<http://www.highland.gov.uk/yourenvironment/roadsandtransport/roads/Applicationformsforroadoccupation.htm>

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.

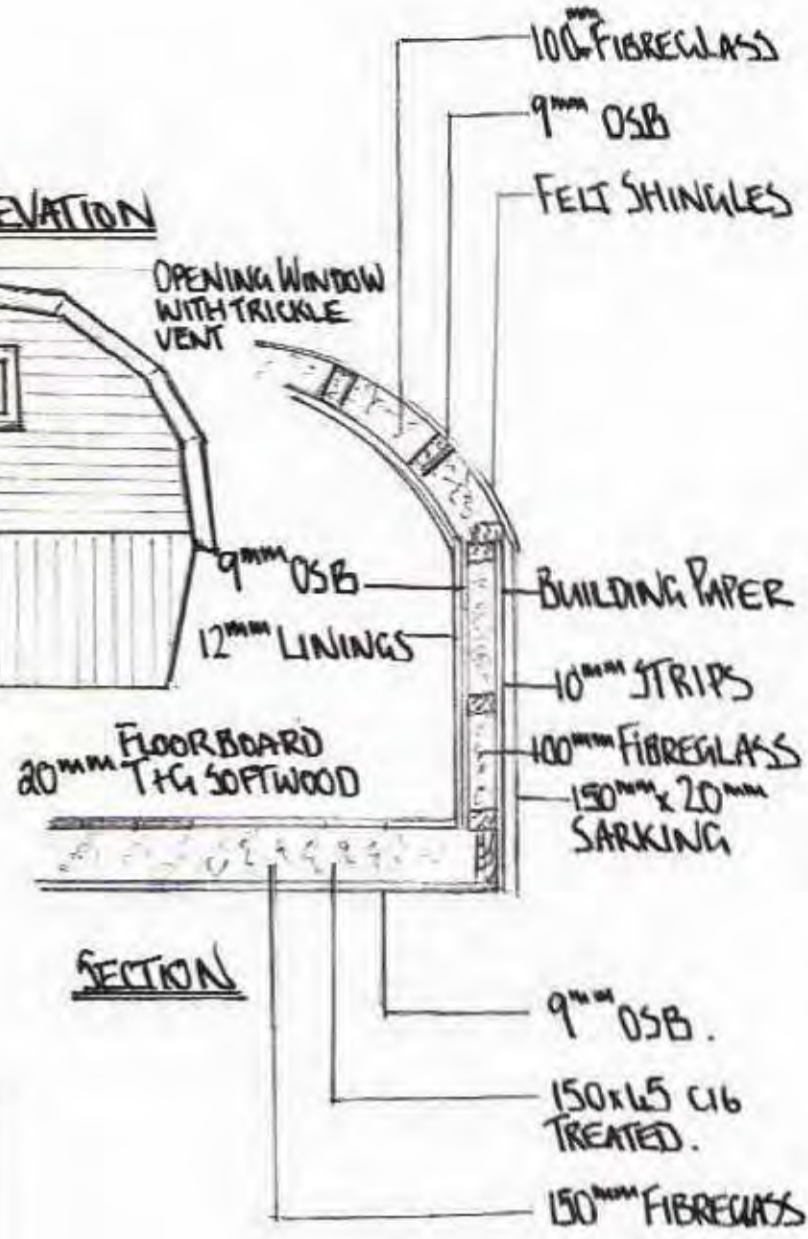
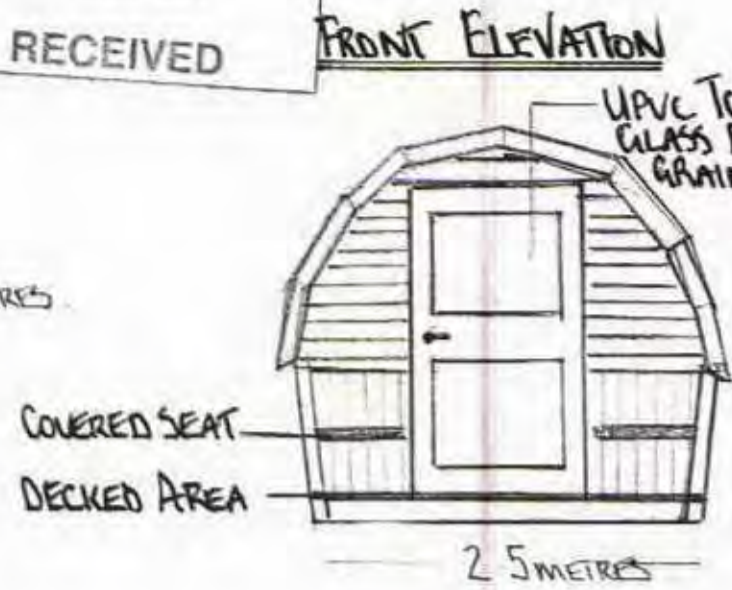
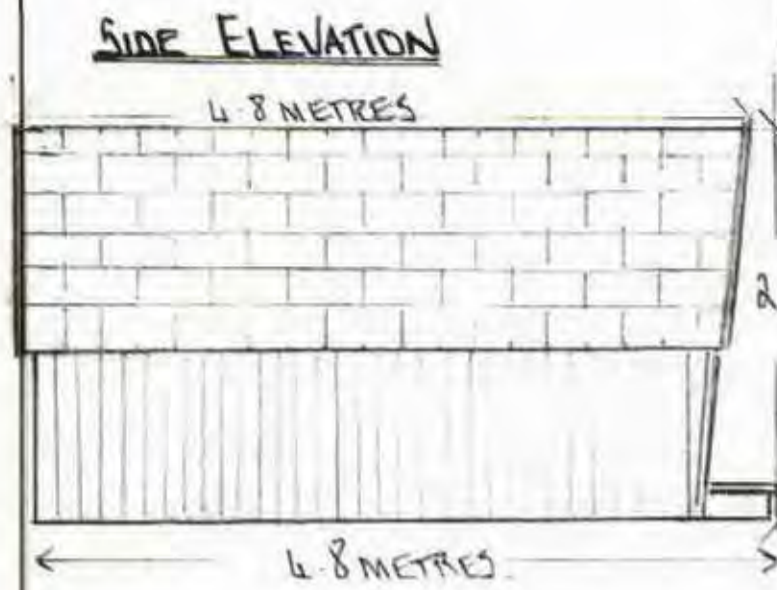
If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. 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 for more information.

Caravan Site Licence

Please note that a Caravan Site Licence is required for this development.

Signature: Allan J Todd
Designation: Area Planning Manager - South
Author: Keith Gibson
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 – Location Plan
Plan 2 – Location Plan – including elevations of camping pods
Plan 3 – Existing Site Layout Plan
Plan 4 – Proposed Site Layout Plan

INVERNESS PLANNING & BUILDING CONTROL SERVICES
17 NOV 2014
RECEIVED

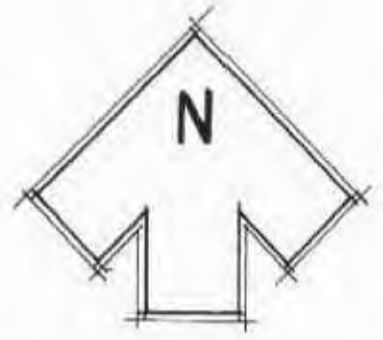


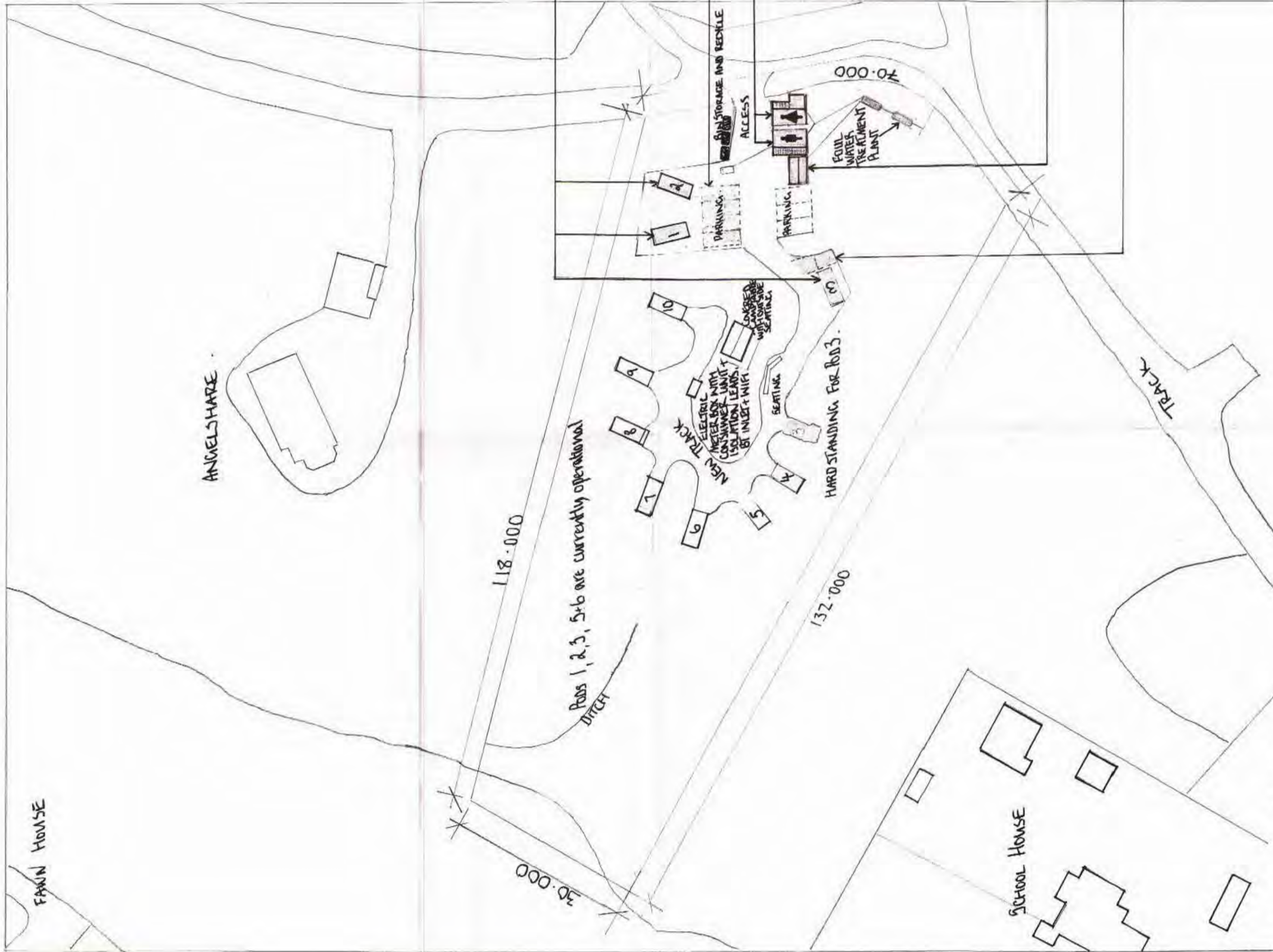
- 10 No. INSULATED CAMPING PODS.
- PODS TO BE SITED WITHIN TREES.
- TRACK IS LAID ON HARDTRACK WITH HARD CORE AND TOPPING STONE WITH MINIMAL DISRUPTION TO TREE ROOTS. ALL TREES TO BE RETAINED - SEE SEPARATE PLAN.
- NEW KITCHEN/TOILET/SHOWER BLOCK TO BE LOCATED AS SHOWN.
- ACCESS FORMED WITH HARDCORE AND TOPPING STONE.
- CAR PARK FORMED WITH HARDCORE AND TOPPING STONE.



LOCATION PLAN, scale 1:2500.
SCALE 0 20 40 60 80 100 140 180 220 260 300 METRES

MR & MRS EDWARDS
CAMPING SHELTERS
KITCHEN, SHOWER/TOILET BLOCK
ANGELSHARE
ABRIACHAN
INVERNESS
DATE: 14/11/14





TEMPORARY SITE POSITIONS FOR PODS N°S 1, 2 AND 3. TO BE REPOSITIONED AS PER PROPOSED REVISED PLAN 14/11/14.

TEMPORARY PARKING. TO BE REPOSITIONED AS PER PROPOSED REVISED PLAN 14/11/14.

TEMPORARY COVERED AREA + 2 N° KITCHEN SINKS AND DRAINERS. TO BE REMOVED.

TEMPORARY PARKING AREA TO BE REPLACED WITH COVERED BIKE STORE (SECURE).

PODS 1, 2, 3, 5+6 are currently operational

Scale 1:500
 10 9 8 7 6 5 4 3 2 1 0

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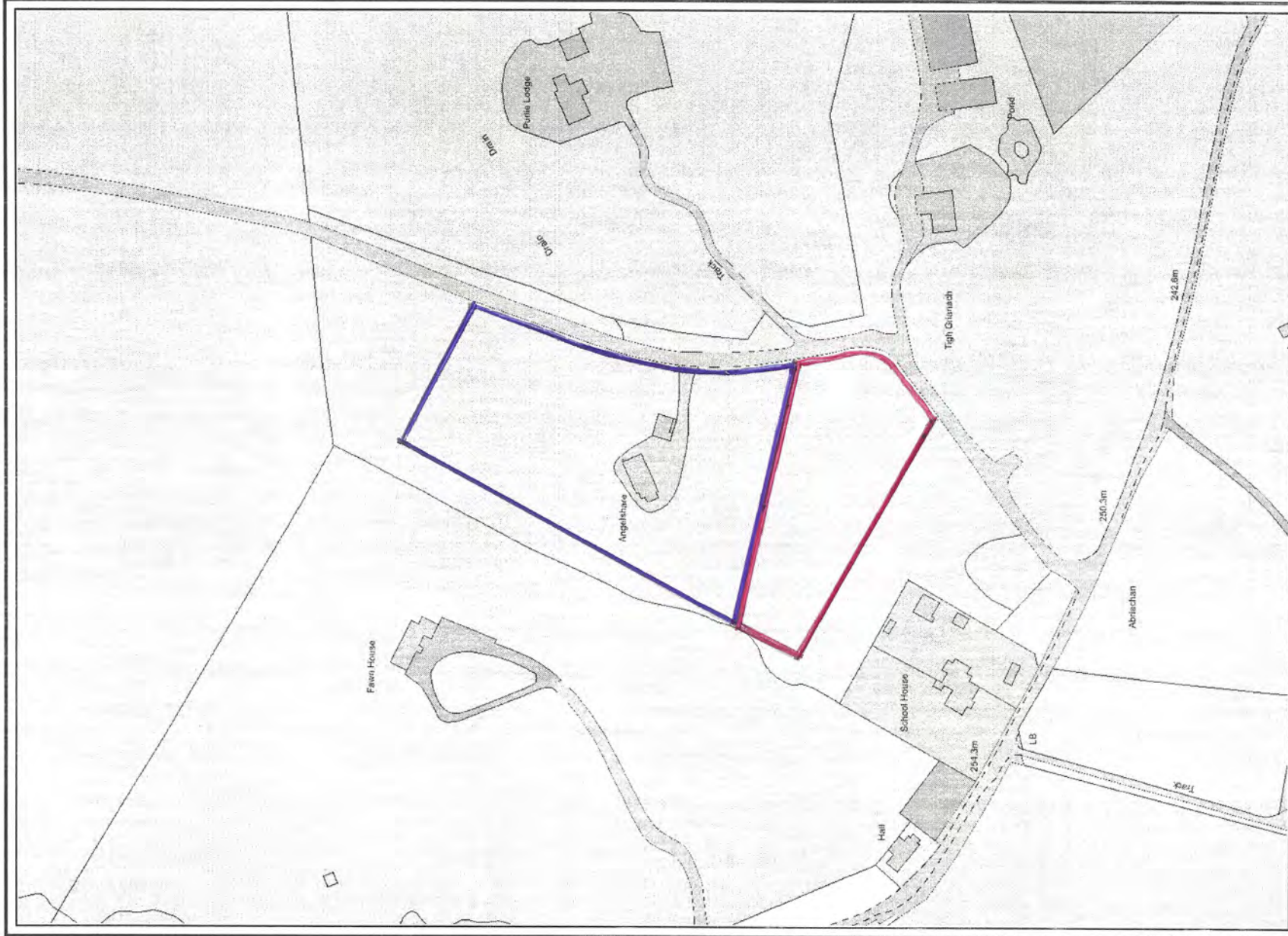
Existing Site Plan 14th Nov 2014
 SAMPLING SHELTERS + TEMPORARY FACILITIES
 MR + MRS EDWARDS
 ANGELSHARE, ABRACHAN, INVERNESS
 DATE: 14 Nov 2014



Scale 10 5 0 10 20 30 40 50 Metres
 BLOCK PLAN - Scale 1:500

JAMES BUILDING & BUILDING CONTROL SERVICES
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Proposed Revised Plan Camping Shelters
 Kitchen, Shower/Toilet Block
 MR + MRS EDWARDS
 ANGELSHARE, ABRACHIAN, INVERNESS.
 DATE: 14 NOV 2014



Proposed site camping shelters
Scale 1:2445

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