

Susan Hadfield
Planner (part time)
Development & Infrastructure
84 High Street
Dingwall
IV15 9QN

By e-mail to: – julie.ferguson@highland.gov.uk

Your ref: 14/00016/FUL
Our ref: NA-HLD-082
25 September 2015

Dear Ms Hadfield

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)
(SCOTLAND) DIRECTION 2009
ERECTION OF THREE (REDUCED FROM 4) HOUSES ON LAND TO NORTH EAST OF
GLEN VIEW, HIGH STREET, CONON BRIDGE**

I refer to your council's e-mail and enclosures of 13 August 2015 notifying the above application to Scottish Ministers as your council are minded to grant planning permission for this development contrary to the advice of the Scottish Environment Protection Agency (SEPA).

Having considered the proposal, Scottish Ministers have decided, in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997 to require the application to be referred to them for determination. Accordingly, a Direction, given in terms of Section 46 is enclosed.

Scottish Ministers have given this Direction due to the proposed development's potential conflict with national policy on flooding as a lack of justification has been provided for building on the undeveloped floodplain. It is considered that the issues raised would benefit from further scrutiny by Ministers'.

Regulation 35 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Ministers will be final. In connection with the service of notice, your attention is drawn to section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy. There is also a requirement to include a copy of the decision to call in on the planning register in accordance with regulation 16 and paragraph 3(d) of Schedule 2.

The application will be submitted to the Directorate for Planning and Environmental Appeals (DPEA) for an examination by a reporter of all the evidence submitted in accordance with the Town and Country Planning (Appeals) (Scotland) Regulations 2013. I would be grateful if you would prepare a disk containing all the relevant application documentation, as this data is required by DPEA to insert onto their website. The disk should be sent directly to Mr David Henderson, Head of Performance and Administration, DPEA, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR who will make arrangements for processing the case.

Thereafter, the appointed reporter has been asked to submit a report, with recommendations, to Scottish Ministers for their consideration and determination.

Any queries relating to providing the requested information or the future handling of the case should be directed to DPEA.

Yours sincerely

Iain McLeod

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LYNDSEY MURRAY

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
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The Scottish Ministers, in exercise of the powers conferred on them by Section 46(1) of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that The Highland Council refer to them for determination the application for full planning permission under the Town and Country Planning (Scotland) Act 1997 received by them from Mr Brian Elias for the erection of 3 (reduced from 4) houses on land to North East of Glen View, High Street, Conon Bridge.

Scottish Ministers have given this Direction due to the proposed development's potential conflict with national policy on flooding as a lack of justification has been provided for building on the undeveloped floodplain. It is considered that the issues raised would benefit from further scrutiny by Ministers'.

This Direction may be cited as the Town and Country Planning (Reference of Application) (The Highland Council) (Planning permission for the erection of 3 (reduced from 4) houses on land to North East of Glen View, High Street, Conon Bridge) Direction 2015.

Jain McLeod

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LYNDSEY MURRAY
Planning Decisions Manager

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25 September 2015