

Local Review Body – NPA/LRB/2014/03

2014/002/REVREF – Tighairn Cottage, Arrochar

Revised Suggested Conditions & Reasons & Informatives

Conditions:

1. **Occupancy:** The unit identified on the approved dwg. no. 146(L)100 as the “holiday let” shall be used either:
 - i. for short-term holiday use and not for permanent residential use. The unit shall not be occupied by any one individual or group for a period exceeding 90 days in any one calendar year. A register of occupant’s details (names and dates of stay) shall be kept and shall be made available to the National Park Authority on request. [Note: This condition does not prohibit the letting of the unit by a management company or other management arrangement on behalf of the owner]; or
 - ii. for purposes ancillary to the residential use of the dwelling known as ‘Tighairn Cottage’, and not for permanent residential use; or
 - iii. for a combination of the abovementioned approved uses.

For the avoidance of doubt, the layout and use of the building shall be in accordance with the approved dwg. no. 146(L)105 unless an alternative layout and use is otherwise submitted to, and subsequently agreed in writing by, the Planning Authority.

REASON: The proposal has been assessed as a tourism development/ancillary accommodation and the approval of permanent residence would be contrary to the policies contained in the adopted development plan.

2. **Permitted Development:** Notwithstanding the provisions of Part 1 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order), no material alterations or extensions shall be undertaken to the unit hereby approved (as identified on approved plan dwg. no. 146(L)100), without a planning application to, and the subsequent grant of permission by, the Planning Authority.

REASON: The Planning Authority considers that the provisions of the General Permitted Development (Scotland) Order might enable the construction of extensions and other alterations to building and that these should be subject to formal planning control to safeguard overdevelopment, given the particular constraints of the site.

Informatives:

Duration of permission: In accordance with section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of 3 years beginning from the date of this permission, unless the development to which this permission relates is begun before that expiration.

Notification of Initiation of Development: Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the

development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

Notification of Completion of Development: As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

Roads Consent - The applicant is advised that in terms of Sections 21 and 65 of the Roads (Scotland) Act 1984 he/she/they must obtain from the appropriate Trunk Roads Authority/Council as Roads Authority consent to construct a new or to alter, open or extend an existing road prior to the commencement of roadworks. Advice on the disposal of surface water must be sought at the initial stages of design from Scottish Water and the Scottish Environmental Protection Agency.

Surface Water - Disposal of surface water from the site should comply with General Binding Rules (GBRs) 10 and 11 of The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended). Details of the requirements of these GBRs can be found on SEPAs website or from SEPAs Perth Environmental Protection and Improvement Team on 01738 627989.

List of Plans

The plans to which this decision relates are listed below:

Title	Reference	Date on Plan*	Date Received
Location Plan	146(L)000		30.10.13
Site Plan	146(L)100		31.10.13
Plan Garage with Studio Flat – elevations/floor/roof and section	146(L)105		08.06.10

*Where no specific day of month has been provided on the plan, the system defaults to the 1st of the month.