



T: [REDACTED]
E: [REDACTED]

[REDACTED]
The Highland Council

Your ref: 18/04719/FUL
Our ref: NOD-HLD-005

13 December 2018

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
ERECTION OF SHED FOR AGRICULTURAL AND STORAGE USE AT LAND NE
OF CAIRNSIDE, WESTHILL, INVERNESS**

1. I am directed by Scottish Ministers to draw your attention to the enclosed Direction, which they have given in exercise of the powers conferred on them by Regulations 31 and 32 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
2. This Direction has been made in the light of the proposal's potential impact on a historic battlefield of national significance.
3. Accordingly, Scottish Ministers take the view that it would be appropriate for The Highland Council to notify an application by MRH Design, on behalf of Mrs Laura Whitham for the erection of shed for agricultural and storage use at land NE of Cairnside, Westhill, Inverness (application number 18/047199/FUL). This Direction does not commit Ministers to calling in any such application, but it does reserve their right to intervene.

Yours sincerely

[REDACTED]
Planning Decisions

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)
(THE HIGHLAND COUNCIL) (ERECTION OF SHED FOR AGRICULTURAL AND
STORAGE USE AT LAND NE OF CAIRNSIDE, WESTHILL, INVERNESS
DIRECTION 2018**

The Scottish Ministers, in exercise of the powers conferred on them by Regulations 31 and 32 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and all other powers enabling them in that behalf, hereby give the following direction:-

1. In the event that The Highland Council is minded to grant planning permission to MRH Design on behalf of Mrs Laura Whitham for the erection of shed for agricultural and storage use at land NE of Cairnside, Westhill, Inverness (application number 18/04719/FUL) they shall send to Scottish Ministers the following information:-

(a) a copy of the planning application, accompanying plans and associated documentation (relevant assessments e.g. transport/retail etc), together with the full address and post-code of the site to be developed;

(b) a copy of any environmental statement accompanying the application or confirmation that an environmental statement has not been prepared;

(c) a copy of any screening opinion given by the planning authority in respect of any Schedule 2 development [as defined by the Town and Country Planning (*Environmental Impact Assessment*) (Scotland) Regulations 2017];

(d) a copy of any strategic environmental assessment that is relevant to the development;

(e) a copy of any appropriate assessment relating to the application, carried out under Part IV of the *Conservation (Natural Habitats, &c.) Regulations 1994*.

(f) copies of all observations submitted by consultees and all representations and petitions received, together with a list of the names and addresses of those who have submitted observations/made representations (including details of any petition organiser if known). Where 'pro-forma' representations are received, only one copy example need be submitted, but all names and addresses must be provided. Copies of petitions should be submitted, but only the organiser or first named should be included in the list of names and addresses;

(g) the planning authority's comments on the consultees' observations and on representations received, together with a statement explaining how the authority has taken these into account;

(h) the planning authority's reasons for proposing to grant planning permission, including, where relevant, a statement setting out the reasoning (i) behind the authority's decision to depart from the development plan, and/or (ii) for taking the decision it has, in light of any objections received.

2. The Scottish Government would expect, wherever possible, that the information is provided electronically by means of a link, or series of links to the relevant case file on the authority's website.

3. Subject to paragraph 4 below, where The Highland Council is minded to grant planning permission for the development referred to in paragraph 1 above they shall not do so before the expiry of the period of 28 days beginning with the date notified to them by Scottish Ministers as the date of receipt by them of the information supplied by the Council in accordance with paragraph 1 of this Direction.

4. Scottish Ministers may, during the said period of 28 days, notify The Highland Council in writing that an earlier or later date shall be substituted for the date of expiry of that period; and if on expiry of the period of 28 days or such other date as has been notified to them the Council have not received from Ministers a Direction under Section 46 of the Town and Country Planning (Scotland) Act 1997 requiring the application to be referred to Ministers instead of being dealt with by the Council, then the Council may proceed to determine the application.

5. This Direction is given to The Highland Council.

6. This Direction may be cited as the Town and Country Planning (Notification of Applications) (The Highland Council) (erection of shed for agricultural and storage use at land NE of Cairnside, Westhill, Inverness) Direction 2018.


Planning Decisions

The Scottish Government
Directorate for Local Government
and Communities
Planning Decisions
Victoria Quay
EDINBURGH
EH6 6QQ

13 December 2018