

AGENDA ITEM 9

APPENDIX I

2023/0081/DET

PLANNING DECISION NOTICE
06/336/CP

CAIRNGORMS

NATIONAL PARK AUTHORITY

Application Reference: 06/336/CP

AGENT:

**A W Laing Ltd
110 High Street
Grantown on Spey
PH26 3EL**

APPLICANT:

**Mr & Mrs Huisman
C/o A W Laing Ltd**

The Cairngorms National Park Authority having considered your application to carry out the following development:

Erection of Dwelling

at;

Site in Grounds of Laggan Country Hotel, Laggan

and in accordance with the plan(s) docquetted as relative hereto and the particular given in the application, do hereby give notice of their decision to:

Grant Full Planning Permission

Subject to compliance with the following condition(s):

1. The development to which this permission relates must be begun within five years from the date of this permission.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act. 1997.

2. That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, no house extension shall be formed, and no greenhouse, shed or garage erected without the prior written consent of the Planning Authority.

Reason: In the interests of the visual amenity of the area at this prominent site

3. Exact details and specifications of all proposed external finishing materials (including roofing materials and driveway materials) shall be submitted for the further approval of the CNPA acting as Planning Authority before any work commences on site.

Reason: To ensure that materials used are appropriate to the area.

4. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by CNPA acting as Planning Authority before development commences. The scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of the development and shall include a phasing programme for implementation and shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and to the extent of any areas of earthmounding, and shall ensure:-

- (a) Completion of the scheme during the planting season next following the completion of the development, or such other date as may be agreed in writing with the CNPA acting as Planning Authority.
- (b) The maintenance of the landscaped areas in perpetuity in accordance with the detailed maintenance schedule/table. Any trees or shrubs removed, or which in the opinion of the CNPA acting as Planning Authority, are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the development is satisfactorily assimilated into its surroundings.

5. From the date of this consent no trees shall be lopped, topped or felled on the site without the prior permission of the CNPA acting as planning authority.

Reason: To ensure an appropriate landscape setting for the building.

6. Prior to the first occupation of the dwelling hereby approved an existing caravan. Furthest south indicated by approved drawing No 104 shall be removed from the site. (Unless otherwise agreed).

Reason: In the interests of the general amenity of the area and to prevent unnecessary sporadic development.

7. The bellmouth of the access shall be resurfaced in a bitumous material and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road. These

measures shall be completed prior to the first occupation of the house hereby approved.

Reason: In the interests of highway safety.

Dated: 10 June 2009

Don McKee - Head of Planning

For details of how to appeal to Scottish Ministers regarding any aspect of this Decision Notice please see the attached notes.

**THIS IS A LEGAL DOCUMENT -
PLEASE RETAIN WITH YOUR TITLE DEEDS**

NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL OF PLANNING PERMISSION OR ON GRANT OF PERMISSION SUBJECT TO CONDITIONS

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission in respect of the proposed development, or to grant permission or approval subject to conditions, he may appeal to Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within six months of the date of this notice. The appeal should be addressed to the Chief Reporter, Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR.
2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

NOTES

It should be understood that this permission does not carry with it any necessary consent from the Buildings Authority or Scottish Environment Protection Agency, or approval to the proposed development under other statutory enactments.

It should be understood that this permission does not imply

- that there are no physical restrictions upon development, such as overhead or underground services, diversion or protection of which will be the developer's responsibility, with the prior consent of the appropriate supply authority;
- that the mains water, drainage or other public services are, or will be available:
or
- that financial assistance from public funds is available towards the cost of provision of services or any aspect of the development.

Enquiries should be directed to the appropriate supply authorities.