

AGENDA ITEM 7

DECISION NOTICE

APPENDIX 3

CAIRNGORMS

NATIONAL PARK AUTHORITY

Application Reference: 08/131/CP

AGENT:
Hesdesign
Haughton
Glenkindie
Alford
AB33 8SJ

APPLICANT:
Mr Skakles
Copper Beech
Crathie
Ballater
AB35 5UL

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

Erection of Dwellinghouse

at;

Site Adjacent to Tomidhu, Crathie, Ballater

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 prior to the occupancy of the dwellinghouse hereby approved, the works for the formation of the adjacent Bed and Breakfast business (approved under planning application ref: 07/097/CP), shall be complete and the Bed and Breakfast use shall have commenced.

Reason: To ensure the timeous completion of the Bed and Breakfast business and to ensure compliance with adopted planning policy for new houses in this part of the Aberdeenshire countryside.

3. That no storage and/or dumping of construction materials or debris, or parking of construction vehicles, shall be permitted outwith the defined site boundaries, at any time.

Reason: In the interests of conserving the natural heritage of the area; to protect the integrity of the adjacent Crathie Wood SSSI.

4. That prior to the occupation of the dwellinghouse hereby approved, the parking areas, as shown on the approved site plan drawing, shall be completed and available for use.

Reason: To prevent ad-hoc car parking associated with the development, outwith the boundaries of the site, on land within the Crathie Wood SSSI or on the access track.

5. That prior to the occupation of the dwellinghouse hereby approved, full working details of the proposed foul drainage proposals (as approved for Building Warrant), shall be submitted for the further written approval of the CNPA acting as Planning Authority.

Reason: In order to prevent pollution.

6. That prior to the commencement of works for the installation or construction of the following external finishing materials, details and specifications (samples may be required) shall be submitted for the further written approval of the CNPA acting as Planning Authority;-

- a. the roofing slate;
- b. the wet harl; and
- c. the timber framed windows.

Reason: In the interests of visual amenity; to ensure that these external finishing materials are appropriate to the character of the area.

7. The development shall be landscaped and maintained in accordance with a scheme which shall be submitted to and approved by the CNPA acting as Planning Authority within 2 months of the date of this planning permission. The scheme shall indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted 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 the implementation of a satisfactory scheme of landscaping which will in due course improve the environmental quality of the development.

8. That the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to Aberdeenshire Council's Archaeology Service, on behalf of the CNPA acting as Planning Authority, during the ground-breaking and development work for the dwellinghouse hereby approved. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. The name of the archaeological organisation retained by the developer shall be given to the CNPA acting as Planning Authority and Aberdeenshire Council's Archaeology Service in writing not less than 14 days before development commences.

Reason: In the interests of conserving the cultural heritage of the area; to ensure the adequate and appropriate recording of items of archaeological interest and finds.

Dated: 23 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.