

AGENDA ITEM 5

APPENDIX 3

2014/0201/DET

DECISION NOTICE
(M/APP/2008/0020)



TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Application Reference: M/APP/2008/0020

TO: Davidson Smith Partnership
62 Leadsie Road
Aberdeen
AB25 1TW

FOR: Mr Hugh Gibson

In pursuance of the powers exercised by them as Planning Authority, this Council having considered your application to carry out the following development:

Full Planning Permission for Premises for Restoration of Historic Vehicles, Workshop/Design Studio & Associated Car Parking at Ballater Business Park, Craigview Road, Ballater

and in accordance with the plan(s) docketted as relative hereto and the particulars given in the application, do hereby give notice of their decision to **GRANT Full Planning Permission** for the said development subject to compliance with the following condition(s):

1. That the development hereby granted shall be begun on or before the expiration of five years beginning with the date on which the planning permission is granted or deemed to have been granted.

Reason: Pursuant to Sections 58 and 59 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 or the Town and Country Planning (Use Classes) (Scotland) Order 1997 the site shall be used only for the purpose hereby approved and shall not be used for any other purpose within Use Class 5 without an express grant of planning permission from the Planning Authority.

Reason: To enable the Planning Authority to consider the implications of any subsequent change of use on the amenities of the nearby residential properties.

3. Further details of the design and materials of the security fence shall be submitted for the approval of the planning authority prior to the commencement of works on site.

Reason: In the interests of the visual amenities of the area.

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4. That the development hereby approved shall not be brought into use unless all of the associated means of enclosure have been provided in accordance with the approved scheme.

Reason: In the interests of the visual amenities of the area.

5. That no industrial process or repairs or vehicle maintenance shall take place outwith the buildings hereby approved at any time. Materials shall not be stored outwith the identified fenced compound and shall not be stored to a height greater than 2 metres above ground level.

Reason: In the interests of the appearance of the development and the visual amenities of the area.

6. That no works in connection with the development hereby approved shall take place unless a scheme of hard and soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include:

- (i) Existing and proposed finished ground levels relative to a fixed datum point;
- (ii) The location of new trees and hedges;
- (iii) A schedule of plants to comprise species (which shall be native to the area), plant sizes and proposed numbers and density;
- (iv) A programme for the completion and subsequent maintenance of the proposed landscaping.

All soft and hard landscaping proposals shall be carried out in accordance with the approved scheme and shall be completed during the planting season immediately following the commencement of the development or such other date as may be agreed in writing with the Planning Authority. Any planting which, within a period of 5 years from the completion of the development, in the opinion of the Planning Authority is dying, being severely damaged or becoming seriously diseased, shall be replaced by plants 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 help to integrate the proposed development into the local landscape in the interests of the visual amenity of the area.

7. That the building shall not be harled unless sample panels of the proposed harl have been made available to and approved in writing by the Planning Authority. Unless otherwise agreed in writing by the Planning Authority the building shall not be brought into use unless the harling has been applied in accordance with the approved details.

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Reason: In the interests of the appearance of the building and the visual amenities of the area.

8. Off-street parking spaces for 10 cars shall be provided within the site in accordance with the approved plans prior to the building being brought into use, and shall be retained solely for the approved development in perpetuity.

Reason: To ensure adequate parking provision is available on site.

9. That the proposed foul and surface water drainage systems shall be carried out in accordance with the approved plans and the industrial unit shall not be occupied unless its approved drainage system has been completed to the satisfaction of the Planning Authority.

Reason: In order to ensure that adequate drainage facilities are provided in the interests of the amenity of the area.

10. That in the event of any external illumination of the site, full details of such shall be submitted for the written approval of the Planning Authority prior to any works.

Reason: In order to ensure adequate protection of the amenity.

Dated: 06/06/2008



Head of Development Management and Building Standards

For details of how to appeal to Scottish Ministers against any conditions please see attached notes.