

Heldon And Laich WARD 05_07

**10/00238/APP
18th February 2010**

Allow occasional outdoor market (to operate to a maximum 5 days a month no more than 2 Saturdays a month) at The Old Railway Station Car Park, Clifton Road, Lossiemouth, Moray for Moray Council

Comments:

- MEMBERS WILL HAVE VISITED THE SITE.
- The application is made by the planning authority or relates to land in which the planning authority has a financial interest.
- Advertised for neighbour notification purposes - notification not possible because no premises situated on land to which notification can be sent and as development falling within Schedule 3 of the Development Management Regulations 2008
- No objections/representations received.

Procedure:

- None.

Recommendation: **Permit - Subject To The Following: -**

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. Unless otherwise agreed with the Council, as Planning Authority, the development hereby approved shall be carried out strictly in accordance with the approved plans and conditions.
3. Prior to work commencing on site the applicant shall complete the attached notification of initiation of development and submit it to the local planning authority.
4. Upon completion of the development or as soon as practicable after doing so the attached notification of completion of development shall be completed and submitted to the local planning authority.
5. The outdoor market hereby approved shall only operate for a maximum of 5 days per calendar month and no more than 2 Saturdays a month.
6. The market shall be located around the edges of the car park, with the central area denoted 'B' only being used if there are additional stalls which cannot be located around the perimeter of the car park. The central area stalls shall be set up after all of the vehicles associated with the perimeter stalls have left the area and shall be removed prior to the removal of the perimeter stalls.

7. At least 48 hours prior to the market commencing, signs shall be erected within the Old Railway Station Car Park providing information to members of the public that the market will take place on a given day for a given period and that parking for the public will not be available.
8. Vehicles are not permitted within the market area during the market trading period.

Reasons:

1. The time limit condition is imposed in order to comply with the requirements of Section 58(i) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.
2. In order to ensure that there are no unauthorised departures from the approved plans which could adversely affect the development or character and amenity of the surrounding properties and area.
3. To ensure that the planning authority is aware that development is about to commence and any suspensive conditions can be followed up.
4. To ensure that the planning authority is aware that the development is complete and is able to follow up any conditions.
5. In the interests of road safety.
6. In the interests of road safety.
7. In the interests of road safety.
8. In the interests of road safety.

List of Informatives:

THE CONTAMINATED LAND SECTION has commented that: -

Your property has been identified as being in the vicinity of the following potential source of contamination:

- Railway on site as indicated on map group A, B and D.

Map Group A 1868 - 1897 Ordnance Survey Maps

Map Group B 1898 - 1906 Ordnance Survey Maps

Map Group C 1930 - 1938 Ordnance Survey Maps

Map Group D 1959 - 1971 Ordnance Survey Maps

Map Group E 1969 - 1992 Ordnance Survey Maps

Map Group F Present Day Ordnance Survey Maps

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The Moray Council does not have information to confirm whether or not the ground has been contaminated; however it is recommended that you investigate this matter prior to proceeding with the proposed works. Should contamination be identified you should contact the Environmental Health section immediately and carry out agreed remediation works. For advice on researching/investigating a site, please visit the Council website at www.moray.gov.uk/ContaminatedLand. Alternatively you can contact the Environmental Health Section on 01343 563345 or by email to contaminated.land@moray.gov.uk

THE ENVIRONMENTAL HEALTH MANAGER, DEVELOPMENT SERVICES, has commented that: -

The premises will require to comply with the Food Hygiene (Scotland) Regulations 2006.

The proprietor will require to register the premises in terms of the Food Hygiene (Scotland) Regulations 2006.

The premises will require to comply with the Health and Safety at Work etc Act 1974 and the Workplace (Health, Safety and Welfare) Regulations 1992.

Responsibility for enforcing health and safety in this particular premises rests with the Health and Safety Executive, Lord Cullen House, Fraser Place, Aberdeen.