

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 11/01453/PP
Planning Hierarchy: Local
Applicant: Mr Guy Crichton
Proposal: Change of Use of Land for Siting of Storage Container
Site Address: Car Park, Swimming Pool, Rothesay, Isle of Bute

DECISION ROUTE

(i) Local Government (Scotland) Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

Use of land for the siting of a storage container

(ii) Other specified operations

None

(B) RECOMMENDATION:

It is recommended Planning Permission be granted subject to the conditions, reasons and informative notes attached to the end of this report.

(C) HISTORY:

None.

(D) CONSULTATIONS:

Area Roads Manager (report dated 5th September 2011 and e-mail dated 2nd November 2011)

Initial concern over impact of storage container upon car parking but further information has been provided which has removed these concerns.

(E) PUBLICITY:

Neighbour Notification (closing date 20th September 2011) and Regulation 20 Advert (closing date 30th September 2011).

(F) REPRESENTATIONS:

No letters of representation have been received.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) Environmental Statement:** No
- (ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) A design or design/access statement:** No
- (iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No
- (v) Supporting Information**

The applicant (letter dated 1st August 2011) has explained the background to the proposal as follows:

- In 2010, Bute County Cricket Club won Division 5 of the Western District Cricket Union cricket league and were then actually promoted to the Championship (Third Division) due to the league being restructured. For the first season, the league is being lenient but each club in the Championship is obliged to have certain extra equipment, such as sight screens, a roller, etc.
 - Bute CCC were given a grant from Awards for All to help pay for the equipment and it is now seeking storage facilities in the vicinity of its wicket at the Lade Recreation Ground. Without the storage space, it will be very hard for the club to continue in the third division.
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(H) PLANNING OBLIGATIONS

- (i) Is a Section 75 agreement required:** No
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- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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- (J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application**

- (i) **List of all Development Plan Policy considerations taken into account in assessment of the application.**

Argyll and Bute Structure Plan 2002

STRAT DC 1 – Development within Settlements

Argyll and Bute Local Plan 2009

LP ENV 10 – Development Impact on Areas of Panoramic Quality

LP ENV 19 – Development Setting, Layout and Design

LP REC 1 – Sport, Leisure and Recreation

- (ii) **List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.**

N/A

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- (K) **Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** No

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- (L) **Has the application been the subject of statutory pre-application consultation (PAC):** No

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- (M) **Has a sustainability check list been submitted:** No

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- (N) **Does the Council have an interest in the site:** Yes

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- (O) **Requirement for a hearing (PAN41 or other):** No

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- (P) **Assessment and summary of determining issues and material considerations**

It is proposed to site a storage container within the confines of the Car Park at the Rothesay Swimming Pool. The container will store equipment in association with Bute County Cricket Club, who play their home matches at The Lade recreation ground adjacent to the car park.

Based upon information provided by the applicant, there is a clear locational and operational need for equipment storage in the near vicinity of the cricket ground. The application site fulfils that locational and operational need.

There is an existing storage container immediately adjacent to the application site – this was left over from public utility works and is currently used by the Council in association with the operation of the Swimming Pool. This container has been on the site for approximately four years. It is understood that the firm who owned the container have gone into liquidation and, if the Council take ownership of the container, it will be moved into the application site and used by the Cricket Club. If the Council does not take ownership, the existing container will be removed from the site and the Cricket Club will put its own container on the application site. Ultimately, the *status quo* will be maintained

as there will only be one container within the car park. On this basis, there will be no change to the visual amenity of the area.

In terms of impact upon car parking, there will be no change to the existing situation as two parking spaces will be taken up by a storage container. Anecdotal evidence from Swimming Pool staff suggests that the presence of a container does not result in pressure for parking on the street.

In the specific circumstances of this proposal, the scheme is considered to be worthy of support and to accord with the relevant Development Plan policies.

(Q) Is the proposal consistent with the Development Plan: Yes

(R) Reasons why planning permission or a Planning Permission in Principle should be granted

The proposal accords with policies STRAT DC 1 of the Argyll and Bute Structure Plan 2002 and LP REC 1, LP ENV 10 and LP ENV 19 of the Argyll and Bute Local Plan 2009 and the proposal raises no other material consideration which would justify refusal of permission.

(S) Reasoned justification for a departure to the provisions of the Development Plan

N/A

(T) Need for notification to Scottish Ministers or Historic Scotland: No

Author of Report: Steven Gove

Date: 3/11/2011

Reviewing Officer: David Eaglesham

Date: 3/11/2011

**Angus Gilmour
Head of Planning & Regulatory Services**

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF: 11/01453/PP

1. The development shall be implemented in accordance with the approved drawings: Location Plan (scale 1:2500); Site Plan (scale 1: 500); and Elevation Details (scale 1:50) unless the prior written approval of the Planning Authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Unless the further written consent of the Planning Authority is obtained, the storage container hereby approved shall be removed from the site within five years of the date of the container being sited on the land.

Reason: In the interests of visual amenity and parking having regard to the essentially temporary nature and appearance of the container.

NOTES TO APPLICANT

1. This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 27A(1) of the Town & Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
3. In order to comply with Section 27B(1) of the Town & Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was complete.