

**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 2013 relative to applications for Planning Permission or Planning Permission in Principle**

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**Reference No:** 16/01296/PP  
**Planning Hierarchy:** Local  
**Applicant:** Mull and Iona Community Trust  
**Proposal:** Formation of fenced light industrial park with fenced storage compounds and siting of storage containers  
**Site Address:** Land West of Landfill Site, Glengorm Road, Glengorm, Isle of Mull

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**DECISION ROUTE**

Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997

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**(A) THE APPLICATION**

**(i) Development Requiring Express Planning Permission**

- Change of use of land for formation of light industrial park (Use Classes 4, 5 and 6)
  - Formation of two storage compounds
  - Siting of 20 shipping containers
  - Formation of vehicular access
  - Erection of deer proof fencing
  - Formation of levelled area
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**(B) RECOMMENDATION:**

That permission be Granted subject to the conditions and reasons contained in this report.

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**(C) CONSULTATIONS:**

Area Roads Oban	16.06.2016	No objection subject to conditions.
SNH	23.05.2016	No comments
SEPA	23.06.2016	No objections, contact Flood Risk Assessor
Flood Risk Assessor	14.07.2016	No objections

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**(D) HISTORY:**

14/02550/PREAPP

Proposed light industrial park, advice issued 07.11.2016.

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**(E) PUBLICITY:**

ADVERT TYPE:

Regulation 20 Advert Local Application

EXPIRY DATE: 23.06.2016

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**(F) REPRESENTATIONS:**

**(i) Representations received from:**

- No representations received

**(ii) Summary of issues raised:**

- N/A
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**(G) SUPPORTING INFORMATION**

Has the application been the subject of:

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| <b>(i) Environmental Statement:</b>  | No  |
| <b>(ii) An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:</b>  | No  |
| <b>(iii) A design or design/access statement:</b>  | Yes |
| <b>(iv) A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:</b> | No  |
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**(H) PLANNING OBLIGATIONS**

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 Local Development Plan' (Adopted March 2015)

LDP STRAT 1 – Sustainable Development  
LDP DM 1 – Development within the Development Management Zones  
LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment  
LDP Prop 2 – The Proposed Allocations  
LDP 5 – Supporting the Sustainable Growth of Our Economy  
LDP 9 – Development Setting, Layout and Design  
LDP 11 – Improving our Connectivity and Infrastructure

Supplementary Guidance

SG LDP ENV 14 – Landscape  
SG LDP BUS 1 – Business and Industry Proposals in Existing Settlements and Identified Business and Industry Areas  
SG LDP SERV 7 – Flooding and Land Erosion – The Risk Framework for Development  
SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes  
SG LDP TRAN 6 – Vehicle Parking Provision

- (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 3/2013.**

- Scottish Planning Policy (SPP)

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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: No**

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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**

This is a proposal seeking planning permission for the formation of a fenced light industrial park with fenced storage compounds and the siting of storage containers at land west of Landfill Site, Glengorm Road, Glengorm, Isle of Mull.

In the adopted Argyll and Bute Council Local Development Plan, the application site is shown within a designated Business and Industry Allocation Ref no B4004. Policy LDP PROP 2 provides an effective land supply for new development for the period of the plan. Development of the Allocations for uses other than those identified in the schedules of the Written Statement will be contrary to the Local Development Plan and will not be permitted. The Schedule for Business and Industry Allocation site B4004 supports the principle of business and industry uses at the site and does not limit the site in terms of specific Use Classes.

Policy LDP 5 gives particular priority to new business and industry development in our business allocations, established business and industry areas and economically fragile areas.

SG LDP BUS 1 aims to promote well ordered, sustainable industrial and business developments within the identified Business and Industry Areas. This policy supports proposals for the development of new business and industry enterprises (Use Classes 4, 5, 6 and 7) whilst allowing issues of sustainability, accessibility, amenity, design, conservation and traffic issues to be taken into account.

The site is set along the C47 Glengorm Road to the immediate north west of the municipal waste and recycling facility for Tobermory. A Scottish Water Treatment Plan is located to the immediate south east of the waste and recycling facility. The site is a fairly rough area of scrub/bracken which has a slight dip. The site has formerly been allocated for forestry plantation, although the cultivation of forestry was not successful. The north and western ends of the site are bounded by forestry plantation. The site is well separated from residential properties and settlements. The proposal site is viewed in the context of an industrial setting and the site reads as a sensible site for business and industry development.

The current application proposes the initial phase of development of the Business and Industry Site in order to meet the immediate storage needs of local businesses in the area. It is proposed to form a new vehicular access from the existing access to the Waste Facility. The flattest area of the site at the southern end will be levelled and two separate storage compounds will be formed. One of the storage compounds will be located on the ground immediately adjacent to the public road and will have a floor area of approximately 700 metre squared. Each compound will be surrounded by a 1.8 metre high fence. The second storage compound will be located to the north which will have a floor area of approximately 200 square metres. It is proposed to site 16 shipping containers with a floor area of 14.8 square metres and 4 shipping containers with a floor area of 7.4 square metres. The applicant has submitted a masterplan in support of the application which illustrates additional phases of development. A masterplan is not required for the consideration of proposals in Business and Industry Areas and the aspirations of the supporting masterplan are noted.

The proposed development is of an appropriate design and layout which will be compatible with its surroundings. The proposed development will therefore accord with the provisions of policy LDP 9 of the Local Development Plan which aims to achieve high quality new development that respects the local environment and

provides a sense of place. The proposed development will also accord with policy LDP 3 which encourages sustainable forms of development that seek to protect, conserve and where possible enhance the natural, human and built environment we all enjoy.

The Area Roads Engineer has been consulted and has raised no objections subject to planning conditions with regard to: the provision of:

- Commensurate improvements to the existing public road. Two existing unsurfaced passing places shall be reconstructed and two additional places shall be formed all to be built to roads specification. The B8073 shall be widened to 5.5m for the last 15m before the B882 junction and the C47 Glengorm Road will be required to be widened to 5.5m wide for the first 15m from the B8073.
- Visibility splays measuring 75m x 2.4m at the junction with the Glengorm Road to be cleared and maintained.
- Road to be brought to adoptable standard required from the junction with the Glengorm Road into the industrial estate. . Road to be designed to SRC Roads Development Guide, minimum width of 6m, 2m footway one side and 2m grass strip on the other.
- Road drainage to comply with SUDS
- Car Parking as per Local Plan Supplementary Guidance.

The proposal will therefore accord with the provisions of policy LDP 11 of the Local Development Plan which requires all development proposals to have an appropriate standard of access.

SEPA has been consulted and has raised no objections to the proposed development. SEPA had advised that contact is made with the Flood Prevention Authority to ascertain whether further flood risk information would be required to be submitted. The Flood Risk Assessor has been consulted and has raised no objections to the proposed development

The proposed development would accord with the relevant provisions of the Local Development Plan, notably with policies LDP DM1, LDP 3, LDP PROP 2, LDP 5, LDP 9, LDP 11 and Supplementary Guidance SG LDP ENV 14, SG LDP BUS 1, SG LDP TRAN 4 and SG LDP TRAN 6 of the Argyll and Bute Local Development Plan 2015 and with all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and, in the opinion of the Planning Authority, there are no circumstances which otherwise would justify the refusal of permission.

Furthermore, there are no other material considerations, including issues raised by third parties, which warrant anything other than the application being determined in accordance with the provisions of the development plan.

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

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**(R) Reasons why Planning Permission or Planning Permission in Principle Should be Granted:**

The proposed development would accord with the relevant provisions of the Local

Development Plan, notably with policies LDP DM1, LDP 3, LDP PROP 2, LDP 5, LDP 9, LDP 11 and Supplementary Guidance SG LDP ENV 14, SG LDP BUS 1, SG LDP TRAN 4 and SG LDP TRAN 6 of the Argyll and Bute Local Development Plan 2015 and with all other material considerations. The carrying out of the development permitted, subject to the conditions imposed, would accord with those policies and, in the opinion of the Planning Authority, there are no circumstances which otherwise would justify the refusal of permission.

Furthermore, there are no other material considerations, including issues raised by third parties, which warrant anything other than the application being determined in accordance with the provisions of the development plan.

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

N/A

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

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**Author of Report:** Lesley Cuthbertson **Date:** 15.07.2016

**Reviewing Officer:** Tim Williams **Date:**

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

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 16/01296/PP

1. The proposed development shall be carried out in accordance with the details specified in the application form dated 09.05.2016; and the approved drawings numbered 1-5 of 5; and stamped approved by Argyll and Bute Council.

Reason: In order to ensure that the proposed development is carried out in accordance with the details submitted and the approved drawings.

Standard Note: In terms of condition 2 above, the council can approve minor variations to the approved plans in terms of Section 64 of the Town and Country Planning (Scotland) Act 1997 although no variations should be undertaken without obtaining the prior written approval of the Planning Authority. If you wish to seek any minor variation of the application, an application for a non material amendment (NMA) should be made in writing to Planning Services, Dalriada House, Lochgilphead, PA31 8ST which should list all the proposed changes, enclosing a copy of a plan(s) detailing these changes together with a copy of the original approved plans. Any amendments deemed by the Council to be material, would require the submission of a further application for planning permission.

2. No development shall commence or is hereby authorised until a scheme of boundary treatment, surface treatment and landscaping has been submitted to and approved in writing by the Planning Authority. The scheme shall include details of:
  - i) Existing and proposed ground levels, including the finished floor level of the building, in relation to an identified fixed datum;
  - ii) Location design and materials of proposed walls, fences and gates;
  - iii) Proposed hard landscaping works.

All of the works shall thereafter be carried out in accordance with the approved scheme unless otherwise approved in writing by the Planning Authority.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity.

3. No development shall commence or is hereby authorised until details of the proposed private access and connection with the existing public road have been submitted to and approved by the Planning Authority. Such details shall incorporate:
  - i) Details of the location and reconstruction of two existing unsurfaced passing places and details of the location and construction of two additional passing places, all in accordance with the Council's Standard Roads specification.
  - ii) Details of the widening of the B8073 road (widened to 5.5m wide for the first 15m before the B882 junction).
  - iii) Details of the widening of the C47 Glengorm Road (widened to 5.5m wide for the first 15m from the B8073).

Access shall be constructed to at least base course level prior to any work starting on the erection of the buildings which it is intended to serve and the final wearing surface of the access shall be applied concurrently with the change of use of the site.

Reason: In the interests of road safety and to ensure the timely provision of a service road commensurate to the scale of the overall development.

Note to Applicant:

- A Road Opening Permit under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers prior to the formation/alteration of a junction with the public road.
  - The access shall be constructed and drained to ensure that no surface water is discharged onto the public road.
4. Notwithstanding the provisions of Condition 1, the access from the junction with the Glengorm Road serving the site shall be a Road over which the public has a right of access in terms of the Roads (Scotland) Act 1984 which shall be constructed in consultation with the Council's Roads Engineers.

Reason: In the interests of road safety to ensure the provision of a road commensurate to the scale of development.

Note to Applicant:

- Road Construction Consent under the Roads (Scotland) Act 1984 must be obtained from the Council's Roads Engineers and a Road Bond provided prior to the formation of the access within the development site.
5. Notwithstanding the provisions of Condition 1, the existing junction with Glengorm Road shall have visibility splays of 75 metres to point X by 2.4; metres to point Y from the centre line of the proposed access. The visibility splays shall be cleared of all obstructions such that nothing shall disrupt visibility from a point 1.05 metres above the access at point X to a point 0.6 metres above the public road carriageway at point Y. The final wearing surface on the access shall be completed prior to the development first being brought into use and the visibility splays shall be maintained clear of all obstructions thereafter.

Reason: In the interests of road safety.

6. Notwithstanding the provisions of Condition 1, no development shall commence until full details of the layout and surfacing of a parking and turning area within the application site have been submitted to and approved in writing by the Planning Authority in consultation with the Council's Roads Engineers. The number of parking spaces provided will be required to be in accordance with the specified car parking standards within the Argyll and Bute Local Development Plan Supplementary Guidance. The duly approved scheme shall be implemented in full prior to the development first being occupied and shall thereafter be maintained clear of obstruction for the parking and manoeuvring of vehicles.

Reason: In the interest of road safety.

7. Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C697. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and



to prevent flooding.

Note to Applicant:

Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – [www.sepa.org.uk](http://www.sepa.org.uk)

8. The land and storage facilities to which this permission relates shall be used solely for the purposes of Use Class 4, Use Class 5 and Use Class 6 purposes and for no other use of the Town and country Planning (Use Classes( (Scotland) Order 1997 and the General Permitted Development Order 1992 (as amended)

Reason: In accordance with the sites Allocation in the Local Development Plan as a Business and Industry Area.

9. No storage shall take place outwith the approved storage compounds and containers unless otherwise agreed with the Planning Authority.

Reason: In the interests of visual amenity.

## NOTE TO APPLICANT

- **The length of the permission:** 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).
- In order to comply with Section 27A(1) of the Town and 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.
- In order to comply with Section 27B(1) of the Town and 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 completed.