

PROPOSAL OF APPLICATION NOTICE (PAN)

Reference: 22/01516/PAN

Applicant: MH Planning Associates

Proposal: Proposal of application notice for proposed timber loading facility

Site Address: Land North Of Bunnahabhain Isle of Islay

1.0 INTRODUCTION

Proposal of Application Notices only relate to National and Major Applications as defined by the Government's planning hierarchy and are a statutory requirement prior to the submission of the planning application. The PAN heralds the start of a minimum 12 week period to allow for community consultation before an application can be lodged.

In considering this item Members should restrict comments to issues relating to the material considerations which may be relevant in the determination of the proposed development and should refrain from expressing opinion as to the likely acceptability of development in advance of any subsequent application being presented for determination. Any opinions or views expressed by Councillors at the pre-application stage must be made mindful of the overarching requirements of fairness, impartiality and of keeping an open mind. The process provides opportunity for Officers to give feedback to the prospective applicant on issues which Members would wish to see addressed within the planning application submission.

Members are requested to note that the Scottish Government has provided additional guidance to Planning Authorities and applicants on appropriate community consultation measures due to current Covid 19 restrictions on the holding of public meetings. This new advice requires applicants to demonstrate that enhanced measures to compensate for the lack of a public meeting are provided to the satisfaction of the Planning Authority. The applicant has set out in detail their proposals to ensure sufficient opportunity is provided for the community to view and comment on the proposals in advance of the submission of a formal planning application.

The applicants have confirmed the following consultation steps will be undertaken:

- Consultation letters to be sent to Community Councils, Public Bodies and Argyll and Bute Councillors
- A public meeting will also be held.
- A press notice will be placed in the Oban Times.

Officers consider that the steps set out in the PAN are acceptable.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The applicant has confirmed that the proposed timber loading facility will comprise the following main elements:

- Construction of a pier, this would extend 223m seaward from the high tide mark and be principally comprised of a 203m long causeway crossing foreshore and seabed built from infill rock and rock armour. The causeway would lead out to a 20m x 38m in plan hammerhead berthing point constructed of precast concrete units.
- A timber stacking area and associated earthworks.

3.0 DEVELOPMENT PLAN POLICY

'Argyll and Bute Local Development Plan' adopted March 2015

Relevant Policies which will require to be considered include:

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 5 – Supporting the Sustainable Growth of our Economy

LDP 6 - LDP 6 - Supporting the Sustainable Growth of Renewables

LDP 8 – Supporting the Strength of our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising Our Resources and Reducing Our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

SG LDP ENV 1 – Development Impact on Habitats, Species and Our Biodiversity

SG LDP ENV 7 – Water Quality and the Environment

SG LDP ENV 14 – Landscape

SG LDP TRAN 4 – New and Existing, Public Roads and Private Access Regimes

SG LDP TRAN 5 – Off-Site Highway Improvements

SG LDP TRAN 6 – Vehicle Parking Provision

SG LDP CST 1 - Coastal Development

SG LDP TRAN 8 – Piers and Harbours

The LDP Policy evaluation will require to address the following general matters:

- Landscape and Visual Amenity (an LVIA will be required with appropriate visualisations from agreed VP's and ZTV identification)
- Land Use and Marine designations material to the proposal;
- Potential impacts on the Marine Environment
- Ecology and Nature Conservation;
- Traffic and Transport;
- Amenity and Health
- Flooding and drainage
- Recreation and Tourism;
- Noise Assessment in respect of potential impacts on marine wildlife and noise sensitive receptors associated with both construction and operational activities.

In respect of LDP 2. Following the consideration of the emerging LDP 2 on 24.6.21 the unchallenged policies and proposals within LDP2 may now be afforded significant material

weighting in the determination of planning applications at this time as they constitute the settled and unopposed view of the Council. Those unchallenged policies which may be considered relevant to the proposal are set out below:

- Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
- Policy 36 – New Private Accesses
- Policy 37 – Development Utilising an Existing Private Access or Existing Private Road
- Policy 38 – Construction Standards for Public Roads
- Policy 39 – Construction Standards for Private Access
- Policy 40 – Vehicle Parking Provision
- Policy 41 – Off Site Highway Improvements
- Policy 58 – Private Water Supplies and Water Conservation
- Policy 63 – Waste Related Development and Waste Management
- Policy 78 – Woodland Removal

The proposal will therefore require to be considered against any material and unchallenged policies of LDP2 at point of submission.

4.0 POTENTIAL MATERIAL CONSIDERATIONS

In respect of this proposal it is considered that the following matters will be material considerations in the determination of any future planning application;

- Scottish Planning Policy 2014 (and any emerging SPP advice)
- Argyll & Bute Sustainable Design Guidance (2006)
- A&B Local Biodiversity Action Plan
- Statutory/Non-Statutory Consultee Comments

5.0 CONCLUSION

The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations and key issues based upon the information received to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

6.0 RECOMMENDATION

That Members note the content of the report and submissions and provide such feedback as they consider appropriate in respect of this PAN to allow these matters to be considered by the Applicants in finalising any future planning application submission.

Author of Report: David Moore

Date: 14.09.2022

Reviewing Officer: Sandra Davies

Date: 14.09.2022

Fergus Murray
Head of Development and Economic Growth