

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: 10/01662/PP
Planning Hierarchy: Local
Applicant: R.N.L.I.
Proposal: Relocation of fuel tank to permanent site and installation of projecting platform access ladder.
Site Address: Port Askaig Pier, Port Askaig, Isle of Islay

DECISION ROUTE

Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Installation of above ground fuel tank
- Installation of access ladder

(ii) Other specified operations

- Relocation of existing fuel tank
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(B) RECOMMENDATION:

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

(C) CONSULTATIONS:

Health And Safety Executive		No reply received, but no objection raised to previous application for the same development.
Area Roads Mid Argyll Kintyre And Islay	27.10.2010	No objection.
Environmental Health - MAKI	19.10.2010	No objection.

(D) HISTORY:

09/00972/DET – Temporary siting of fuel tank – Granted 16th September 2009

(E) PUBLICITY:

Listed Building Advert – expiry 18.11.2010

(F) REPRESENTATIONS:

(i) Representations received from:

None

(ii) Summary of issues raised:

N/A

(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 |
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(H) PLANNING OBLIGATIONS

Is a Section 75 agreement required: No

- (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 the Settlements
STRAT DC 9 – Historic Environment and Development Control

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment
LP ENV 13a – Development Impact on Listed Buildings
LP CST 1 – Coastal Development on the Developed Coast

(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

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

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

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

(N) Does the Council have an interest in the site: Yes – Argyll and Bute Council are the owners and operators of Port Askaig Harbour, including the land upon which the proposed fuel tank is to be located. Regulation requires that applications in which the Council has an interest must be determined by Committee.

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

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

The proposal stems from an operational requirement to fuel the lifeboat stationed at Port Askaig. There is a requirement for this facility to be accessible without impediment as a result of other activities at the harbour, including the berthing of ferries. Its location requires a balance of operational considerations against its impact upon the setting of the harbour buildings, which are listed. The pier is already subject to paraphernalia associated with ferry operations such as gangways, linkspan hydraulics and control equipment, along with vehicles and so on, so the addition of a fuel tank should be viewed in this context. Both the pier operators and the tank users are satisfied that this is the most practical location having regard to the interests of other pier users and operational requirements.

A previous permission was granted in 2009 for the temporary siting of this cylindrical fuel tank with a diameter of 2.12 metres and a length of 4.05 metres on a site within the existing wharf area during the redevelopment of the linkspan and pier. It is now proposed to relocate the same tank to a permanent home adjacent to the existing 'Dolphin Roundhead' approximately 10 metres to the north east of the existing location.

It is also proposed to install a new galvanised metal projecting platform access ladder attached to the side of the harbour wall immediately adjacent to the new fuel tank. The proposed ladder will facilitate safe access to the lifeboat whilst refuelling.

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

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

There is a requirement for fuel facilities for the lifeboat which are accessible at all times and are not obstructed by other harbour operations, and which themselves do not conflict with the interests of other pier users or the safety of the public. A fuel tank is an essential piece of infrastructure which can reasonably be expected to be found within the confines of a working harbour. Its scale and location is not such that it detracts to any significant degree from the setting of the listed buildings along the rear of the pier. The development is consistent with Development Plan policy, and there are no other material considerations which would warrant the setting aside of the presumption in favour of the development in these circumstances.

(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: Tim Williams **Date:** 23rd November 2010

Reviewing Officer: Peter Bain **Date:** 25th November 2010

Angus Gilmour
Head of Planning & Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION 10/01662/PP

1. That the development to which this permission relates must be begun within three years from the date of this permission.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. The proposed development shall be carried out in accordance with the details specified in the application form dated 22nd September 2010; and the approved drawing numbered 1 of 1; 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.

NOTE TO APPLICANT

- 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.