

**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**

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**Reference No:** 10/01806/PP

**Planning Hierarchy:** Local

**Applicant:** Scottish Water

**Proposal:** Erection of access gates, widening of existing access, formation of access track and hardstanding area

**Site Address:** Land west of Public Convenience, Marine Road, Port Bannatyne, Isle of Bute

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**DECISION ROUTE**

(i) Local Government (Scotland) Act 1973

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**(A) THE APPLICATION**

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

- Erection of access gates
- Widening of existing access
- Formation of access track and hardstanding

**(ii) Other specified operations**

- Erection of control cabinet.
  - Installation of underground valve chamber and wet well
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**(B) RECOMMENDATION:**

It is recommended planning permission be granted subject to the attached conditions and reasons and notes to applicant.

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**(C) HISTORY:**

Planning Permission (ref: 05/00088/DET) for the widening of the existing access and the formation of a hardstanding area at the subject site was approved on 24<sup>th</sup> February 2005. Given that the overall scheme was put on hold, this permission expired in February 2010.

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**(D) CONSULTATIONS:**

West of Scotland Archaeology Service - (e-mail dated 30<sup>th</sup> November 2010)

No archaeological issues raised.

Area Roads Manager - No comments received at the time of writing. Any comments received subsequently will be reported at the meeting.

Area Environmental Health Manager - No comments received at the time of writing. Any comments received subsequently will be reported at the meeting.

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**E) PUBLICITY:**

Article 9 neighbour notification procedure (closing date 14<sup>th</sup> December 2010) and Conservation Area Advert (closing date 24<sup>th</sup> December 2010).

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**(F) REPRESENTATIONS:**

No representations have been received.

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**(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) Supporting Information**

In a letter dated 20<sup>th</sup> October 2010, Scottish Water explained that the proposed development is part of the Ardbeg and Port Bannatyne Sewerage Scheme, which will intercept the numerous foul gravity outfalls to the sea and convey the flows to the existing sewerage system in Rothesay. Five pumping stations will be provided at locations accessible from the coast road, together with lengths of intercepting sewer and rising main. It is intended that the majority of pipework including on-line storage will be located in the roadway. Each pumping station will be equipped with pumps, associated pipework, ancillary equipment and control kiosk.

The proposal involves the utilisation of the existing tarmac area, the widening of the existing access and the formation of a hardstanding. The access is necessary to allow Scottish Water vehicles and personnel to access and maintain the site. The access gate is required to prevent unauthorised vehicular access to the pumping station. It should be noted that the public will still be able to use the recreational ground at the site and also the public park further to the west as the existing pedestrian gate will be retained. The control kiosk, whilst '*permitted*

*development*, will be positioned to the south of the toilet block thereby ensuring that it would be screened.

- (v) **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**

- (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 the Settlements

Argyll & Bute Local Plan 2009

LP ENV 10 seeks to resist development within Areas of Panoramic Quality where its scale, location or design will have a significant adverse effect on the character of the landscape.

LP ENV 19 '*Development Layout, Setting & Design*' requires developers to execute a high standard of setting, layout and design where new developments are proposed.

- (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.**

Not applicable

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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**

This proposal is one of a number of sites for pumping stations that Scottish Water identified in 2005 in order to comply with the Urban Waste Water Treatment (Scotland) Regulations 1994 and to address the problem of untreated sewage being discharged into the waters surrounding Port Bannatyne and Ardbeg.

The site is situated immediately to the west of the Public Convenience that itself is located at the entrance to Port Bannatyne. The application proposes the removal of a section of stone boundary wall to facilitate vehicular access into a newly-created hardstanding area that would allow the underground wet well and valve chamber and above ground control cabinet to be serviced.

There are no visual amenity issues arising from the proposal, which will not alter significantly the existing appearance of the area surrounding the Public Convenience block. In other locations within Ardbeg and Port Bannatyne, it has been agreed that control cabinets would be clad in stone. Given that this particular site is not within the Conservation Area and the cabinet would be in a relatively inconspicuous location, this is not considered necessary in this instance.

The main outstanding issue relates to the impact of the proposal on road safety, although it should be stressed that there were no particular problems at the time of the previous application in 2005. It is understood that the comments of the Area Roads Manager will be forthcoming in the near future, in which case they will be reported at the meeting.

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

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

The proposal accords with policy STRAT DC 1 of the Argyll and Bute Structure Plan 2002 and policies 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.

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

Not applicable

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

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**Author of Report: Steven Gove**

**Date: 29/12/2010**

**Reviewing Officer: Richard Kerr**

**Date: 30/12/2010**

**Angus Gilmour  
Head of Planning**

## **CONDITIONS AND REASONS RELATIVE TO APPLICATION 10/01806/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 development shall be implemented in accordance with the details specified on the application form and the approved drawing reference numbers: Drawing No. 400114-0000-20-DRG-9900; Drawing No. 400114-0000-20-DRG-9901; Drawing No. 400114-0000-20-DRG-9902; Drawing No. 400114-0000-20-DRG-9903; and Drawing No. 400114-0000-20-DRG-9904 unless the prior written approval of the planning authority is obtained for other materials/finishes/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.

## **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.