

**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:** 10/01767/PP

**Planning Hierarchy:** Local Development

**Applicant:** Ms Sian Scott, Mull and Iona Community Trust

**Proposal:** Additional plant room, amended siting, amended fenestration on the south east and south west elevations, upgrading of roof covering to natural slate, addition of 7 sunpipes, deletion of solar panels and installation of a waste water discharge pipe (retrospective) - relative to planning application ref. 07/02265/DET – erection of community business resource centre.

**Site Address:** Land north west of Dalriada, Craignure, Isle of Mull

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**SUPPLEMENTARY REPORT NO 1**

**1) Background**

This application was considered at the meeting of the Planning Protective Services and Licensing Committee of 19<sup>th</sup> January 2011, and was continued in view of matters requiring clarification, which it was not possible to address in full on the day. This report now provides the required information.

**2) Additional Information**

Glazing of side facing windows facing 'Dalriada'

The retrospective application addresses the matter of windows overlooking the garden ground of the adjacent cottage. The original approval provided for three small high level toilet windows towards the rear of the side elevation, plus one office window at the front of the side elevation. As the latter was to face the blank gable end of 'Dalriada', the means of glazing of this window was not specified in the original planning approval, and accordingly, as constructed, it was fitted with plain glass. The positioning of the building further back into the site than the location approved has afforded an oblique view across the rear garden of the cottage and the report to the last meeting recommended that this window should be the subject of a condition requiring opaque film to be applied to the glass in order to protect privacy. This was not acceptable to Members who requested that the window should be retro-fitted with obscure glass. This matter has been raised with the applicants who have indicated their willingness to do this and to accept a

condition to that effect. An additional window has also been added to the stairwell in the centre of the side elevation and the applicants are agreeable to this being obscure glazed also. Accordingly, all the side facing windows looking toward the garden ground of 'Dalriada' are to be fitted with obscure glass to overcome any privacy concerns. A revised condition is recommended to secure this.

#### Discharge pipe serving foul drainage system

The retrospective application provides for an outfall pipe across the foreshore which was not included at the time planning permission was approved. The original application indicated that an existing outfall pipe was to be used in order to serve a proposed biodisc treatment plant to be installed on the site. In the event, as this discharges from the foot of the sea wall, this was not to prove acceptable to SEPA who required that it should be extended to the mean low water mark. It should be noted that this discharge is subsequent to treatment on the site, unlike other houses, commercial property and the public toilets nearby which discharge untreated sewage onto the foreshore, there being no other septic tanks in this area of Craignure.

The pipe is, however, unsightly and the report to the last meeting recommended that it should be undergrounded or concrete capped as far as practicable, in order to improve its appearance. The developers have confirmed that it is impractical to underground the pipe and feels that concrete capping will break up over the years with the action of the sea, presenting an undesirable maintenance problem. As an alternative, they have suggested that the pipe be bounded on both sides by rock armour to disguise its presence. This will have the benefit of allowing the sea to wash in and out of the stones and will prove more durable in the long term. It will also be less regular in appearance than concrete capping. This is an appropriate suggestion and a condition to that effect is recommended.

#### Car parking

Although not part of the retrospective application under consideration, issues were raised at the meeting about firstly, the absence of on-site parking, and secondly, deficiencies in the means of access between the disabled person's car parking space and the ramped access at the front of the building. Subsequent contact with the Council's roads engineers has established that they were content that off-street parking was adequate nearby – adjacent to the bus park and also at Craignure toilets. No condition was attached to the original permission requiring on-site parking. In the event the developers have chosen to provide an area at the side of the building capable of accommodating a maximum of two cars, with a space dedicated for disabled persons use.

As far as disabled persons access is concerned, Building Standards have confirmed that they will be requiring for Building Warrant purposes, a means of access with a bound surface suitable for disabled persons' use between the dedicated parking space and the main entrance to the building. It is not therefore necessary to address this by way of a planning condition, as this would duplicate powers available under other regulation. A ramp from the disabled persons' space to the rear entrance of the building has already been provided, so ultimately there will be two means of access into the building suitable for use by a disabled person.

### Solar panels

A question was raised at the last meeting as to the reason for the deletion from the build of the originally approved solar panels. In the event, the development has been served by a ground source heat pump which fuels the heating of the building, whilst a heat recovery system provides hot water. In that situation, solar panels would have provided too much hot water given the lack of domestic demand (for baths and so on) in a building of this type, and therefore solar panels were not fitted.

### **3) Recommendation**

It is recommended that planning permission be granted subject to the revised conditions on the following page, which take account of the need to obscure glaze windows and to provide rock armour protection to the outfall pipe.

**Author of Report: Richard Kerr**

**Date: 26/01/2011**

**Angus Gilmour  
Head of Planning**

## CONDITIONS AND REASONS RELATIVE TO APPLICATION 10/01767/PP

1. Prior to the initial use of the centre hereby approved, the exposed outflow pipe running from the sea wall to the mean low water spring level shall be protected for its full length on either side by rock armour details of which, including type and size of stone, shall be submitted to and approved in writing in advance by the Planning Authority.

*Reason: In the interests of visual amenity and to ensure that the visually intrusive discharge pipe blends into its surroundings.*

2. Prior to initial use of the centre hereby approved, the six toilet windows (numbered 24, 25, 26 and 45, 46, 47) the office window (numbered 49) and the stairwell window (numbered 48), all on the south-east elevation, shall be fitted with obscure glazing, which shall thereafter be retained in perpetuity. ,

*Reason: To eliminate overlooking of the neighbouring residential property.*

3. The development shall be implemented in accordance with the details specified on the application form dated 20/10/2010 and the approved drawing reference numbers:

Plan 1 of 8 (Site Plan and Location Plan at scale of 1:500 and 1:2500)

Plan 2 of 8 (Elevations at scale of 1:1200)

Plan 3 of 8 (Section Thro Site NW to SW at scale of 1:100)

Plan 4 of 8 (Floor Plans at scale of 1:100)

Plan 5 of 8 (Roof Plan at scale of 1:100)

Plan 6 of 8 (Proposed Drainage Layout at 1:200)

Plan 7 Of 8 (Landscaping at scale of 1:100)

Plan 8 of 8 (Landscaping and access ramp elevation at 1:100)

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 27B(1) of the Town and Country Planning (Scotland) Act 1997(as amended), 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.