

**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:** 11/01310/PP

**Planning Hierarchy:** Local

**Applicant:** Scottish Water

**Proposal:** Re-profiling of ground and re-alignment of handrail to accommodate buried pumping station chambers, formation of lay-by and installation of rock armouring and retaining wall (Variation of Condition 3 of Planning Permission 10/01977/PP to amend the external finish of the kiosk)

**Site Address:** Land opposite 8 Marine Place, Ardbeg, Rothesay, Isle of Bute

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**SUPPLEMENTARY REPORT No. 1**

**(A) INTRODUCTION**

Members' attention is drawn to the report that is currently being considered in respect of the above application. The applicant submitted details of the control kiosk on 16<sup>th</sup> September 2011 and this shows the erection of a kiosk measuring 2.8 metres in length, 0.6 metres in width and 1.2 metres in height. The kiosk will be coloured in '*Rothesay Blue*'.

With these details having been submitted, Condition 1 of the previous report should be amended to include a new drawing number whilst Condition 2 has been rendered obsolete and can now be removed. These points are addressed in the amended conditions below.

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**(B) RECOMMENDATION:**

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted subject to the conditions, reasons and informative notes at the end of this report.

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**Author of Report:** Steven Gove

**Date:** 19/9/2011

**Reviewing Officer:** David Eaglesham

**Date:** 19/9/2011

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

## CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO: 11/01310/PP

1. The development shall be implemented in accordance with the details specified on the approved drawings numbers: Drawing No. 400114-0000-20-DRG-9920 Rev 0B; Drawing No. 400114-0000-20-DRG-9921; Drawing No. 400114-0000-20-DRG-9922; Drawing No. 400114-0000-20-DRG-9923; and Drawing Number 400114-0000-20-DRG-9979-0A 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*

2. No lighting units shall be installed unless the prior written consent of the Planning Authority is obtained in consultation with the Public Protection Service. Any lighting units that are approved shall be operated, positioned and angled to prevent any glare or light spillage outwith the boundary of the site, having regard to the Institute of Lighting Engineers Guidance.

*Reason: In order to avoid the potential of light pollution.*

3. The calculated noise levels, arising from the operation of the pumping station, shall not increase pre-determined ambient background noise levels (LA90), as agreed with the Planning Authority, by more than 3dBA at the nearest noise sensitive property. All measurements shall be taken in accordance with BS 4142:1997.

*Reason: In the interests of public health and amenity and in accordance with Policy LP BAD 1 of the Argyll and Local Plan 2009.*

## NOTES TO APPLICANT

1. In order to comply with Section 27B(1) of the Town & 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 complete.
2. Public Protection Service has powers under the Environmental Protection Act 1990 to remedy any environmental nuisance. It is strongly recommended that prior to any works taking place agreement is reached with Jo Rains, Area Environmental Health Manager, Argyll and Bute Council, Hill Street, Dunoon (telephone Number 01369 707124).
3. It is strongly recommended that prior to any works taking place agreement is reached relative to the method to suppress dust for the construction of the pumping station. You are advised to contact Jo Rains, Area Environmental Health Manager, Argyll and Bute Council, Hill Street, Dunoon (telephone Number 01369 707124).
4. A Road Opening Permit would be required in connection with the proposed works and a system of surface water drainage is required to prevent water running onto the road in accordance with Section 99 of the Roads (Scotland) Act 1984 that states that:

*"(i) The owner and occupier of any land, whether or not that land is such as constitutes a structure over or across a road, shall prevent any flow of water, or of filth, dirt or offensive matter from, or any percolation of water through, the land onto the road."*