



Municipal Buildings Albany Street Oban PA34 4AW

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(SCOTLAND) REGULATIONS 2008**

PLANNING PERMISSION

REFERENCE NUMBER: 12/00742/PP

**Mull And Iona Community Trust
Community Enterprise Centre
Craignure
Isle Of Mull
PA65 6AY**

I refer to your application dated 22nd March 2012 for planning permission in respect of the following development:

Construction of mini hydro scheme.

AT:

Land West Of Scallastle Bay Fish Farm Craignure Isle Of Mull PA65 6BA

Argyll and Bute Council in exercise of their powers under the above mentioned Act and Regulations hereby grant planning permission for the above development in accordance with the particulars given in the application form and docketed plans subject however to the conditions and reasons detailed on the following page(s).

It should be understood that this permission does not carry with it any necessary consent or approval for the proposed development under other statutory enactments and is not a Building Warrant.

Dated: 5 July 2012

Angus J. Gilmour
Head of Planning and Regulatory Services

www.argyll-bute.gov.uk



REFERENCE NUMBER: 12/00742/PP

Construction of mini hydro scheme.

AT:

Land West Of Scallastle Bay Fish Farm Craignure Isle Of Mull PA65 6BA

The planning application as detailed above is subject to the following conditions:

1. No development shall commence or is hereby authorised until a Construction Environmental Management Document (CEMD) together with an appropriate site specific Construction Environmental Management Plan (CEMP)/construction method statements, are submitted to and approved in writing by the Planning Authority in consultation with SEPA. The approved details and mitigation measures shall thereafter be fully implemented throughout all construction phases.

Reason: In order to secure appropriate mitigation and pollution prevention measures are identified and applied throughout the development phases.

2. No development shall commence or is hereby authorised until a Waste Management Plan (WMP) has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. All attempts to minimise waste must be used and proposals for recycling, re-use and disposal must be appropriate and minimise risks to the environment. The approved details and mitigation measures shall thereafter be fully implemented throughout all construction phases.

Reason: In order to secure appropriate mitigation and pollution prevention measures.

3. No development shall commence or is hereby authorised until a fully detailed site specific Construction Method Statement (CMS) including a detailed 'Species Protection Plan' (as per European Protected Species legislation), has been submitted to and approved in writing by the Planning Authority in consultation with SNH. The approved details and mitigation measures shall thereafter be fully implemented throughout all construction phases.

Reason: In the interest of protecting European Protected Species and because the submitted information is not considered to be of sufficient detail.

3. No development shall commence or is hereby authorised until a survey on the possible presence of Schedule 1 raptors has been completed during the breeding season (March - end of August), and has been submitted to and approved in writing by the Planning Authority in consultation with SNH. This survey shall establish the status of known nests in the area, check for any new nest sites, and then mitigate accordingly should any be identified within disturbance distances. All approved mitigation measures shall thereafter be fully implemented throughout all construction phases.

Reason: In the interest of protecting Ornithological interests of the area.

4. No development shall commence or is hereby authorised until a noise assessment for the proposed development based upon the noise levels likely to be produced by the plant/turbine system/generator, has been submitted to and approved in writing by the Planning Authority in consultation with Environmental Health officers. The noise levels produced must not exceed 35dbA at the nearest noise sensitive facade



(nearest facade facing the proposed development) or the nearest noise sensitive receptors. The development shall thereafter operate within the approved noise levels at all times.

Reason: In the interests of public health and to prevent noise nuisance arising from the development.

5. No development shall commence within the site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved in writing by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

Reason: To enable the opportunity to identify and examine any items of archaeological interest which may be found on this site, and to allow any action required for the protection, preservation or recording of such remains to occur.

6. No development shall commence or is hereby authorised until full details of the proposed finishing materials to be applied to the walls, roof, doors and fencing at the approved turbine house have been submitted to and approved in writing by the Planning Authority. The building and fencing shall be completed and maintained in strict accordance with such details as are approved.

Reason: In the interests of visual amenity.

7. Except as may be amended to comply with the conditions attached to this planning permission or unless otherwise first agreed in writing by the Planning Authority, the development shall be undertaken in strict accordance with the mitigation measures identified in Section 5.4 of the submitted Environmental Statement.

Reason: To ensure the adequate safeguarding of the environment from adverse effects that could otherwise arise.

8. The development shall be implemented in accordance with the details specified on the application form dated 20th of March 2012 and the approved drawing reference numbers:

Plan 1 of 6 (Location Plan)
Plan 2 of 6 (Layout Plans)
Plan 3 of 6 (Intake Layouts)
Plan 4 of 6 (Powerhouse and Tailrace Layout)
Plan 5 of 6 (Powerhouse Elevations)
Plan 6 of 6 (Pipebridge Layout)

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 (as amended).

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

