

Ref:
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ARGYLL AND BUTE COUNCIL
WWW.ARGYLL-BUTE.GOV.UK/**

OFFICIAL USE

12 December
2011

Date Received
FMc

NOTICE OF REVIEW

Notice of Request for Review under Section 43(a)8
of the Town and Country Planning (Scotland) Act 1997 and the Town and
Country Planning (Schemes of Delegation and Local Review Procedures
(Scotland) Regulations 2008

Important – Please read the notes on how to complete this form and use
Block Capitals. Further information is available on the Council's Website.
You should, if you wish, seek advice from a Professional Advisor on how to
complete this form.

(1) APPLICANT FOR REVIEW	
Name	Kilchoman Distillery Co. Ltd.
Address	Rockside Farm
	Bruichladdich
	Isle of Islay
Postcode	PA49 7UT
Tel. No.	01496 850011
Email	anthony.wills@kilchomandistillery.com

(2) AGENT (if any)	
Name	Stewart Consulting
Address	1 Victoria Buildings
	34 Union Street
	Lochgilthead
Postcode	PA31 8JS
Tel. No.	01546 606067
Email	martin@bowmanstewart.co.uk

(3) Do you wish correspondence to be sent to you or your agent

(4) (a) Reference Number of Planning Application

(b) Date of Submission

(c) Date of Decision Notice (if applicable)

(5) Address of Appeal Property

Land north-east of Conisby,
Bruichladdich,
Isle of Islay.

(6) Description of Proposal

Erection of bonded warehouse including security fence, hardstanding and access improvements.

(7)

Please set out the detailed reasons for requesting the review:-

See Attached.

If insufficient space please continue on a separate page. Is this attached? (Please tick to confirm)

(8) If the Local Review Body determines that it requires further information on "specified matters" please indicate which of the following procedure you would prefer to provide such information :-

- (a) Dealt with by written submission
- (b) Dealt with by Local Hearing
- (c) Dealt with by written submission and site inspection
- (d) Dealt with by local hearing and site inspection

NB It is a matter solely for the Local Review Body to determine if further information is required and, if so, how it should be obtained.

(9) Please list in the schedule all documentation submitted as part of the application for review ensuring that each document corresponds to the numbering in the sections below:-

Schedule of documents submitted with Notice of Review (Note: 3 paper copies of each of the documents referred to in the schedule below must be attached):

No.	Detail
1	This notice and attached detailed reasons
2	5 no. site photographs
3	Letter to planning and client dated 14/04/11, 31/03/11 and 12/07/11
4	Drawings: 1768-LOC; -02A; -03B; -04A, -05B; -06
5	
6	
7	
8	
9	
10	

If insufficient space please continue on a separate page. Is this is attached? (Please tick to confirm)

Submitted by
(Please Sign)



Dated

07/12/2011

Important Notes for Guidance

- 1. All matters which the applicant intends to raise in the review must be set out in or accompany this Notice of Review**
- 2. All documents, materials and evidence which the applicant intends to rely on in the Review must accompany the Notice of Review UNLESS further information is required under Regulation 15 or by authority of the Hearing Session Rules.**
- 3. Guidance on the procedures can be found on the Council's website – www.argyll-bute.gov.uk/**
- 4. If in doubt how to proceed please contact 01546 604406 or email localreviewprocess@argyll-bute.gov.uk**
- 5. Once completed this form can be either emailed to localreviewprocess@argyll-bute.gov.uk or returned by post to *Committee Services (Local Review Board), Kilmory, Lochgilphead, Argyll, PA31 8RT***
- 6. You will receive an acknowledgement of this form, usually by electronic mail (if applicable), within 14 days of the receipt of your form and supporting documentation.**

If you have any queries relating to the completion of this form please contact Committee Services on 01546 604406 or email localreviewprocess@argyll-bute.gov.uk

For official use only

Date form issued

Issued by (please sign)

Argyll and Bute Council

Kilchoman Distillery Company Ltd

Notice of Request of Review under Section 43(a)8 of the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Schemes of Delegation and Local Review Procedures) (Scotland) Regulations 2008

Planning reference 10/00263/PP

Background

Kilchoman Distillery is the first new distillery to be built on Islay for over a century and currently employs 11 people which increases by a further 3 or 4 during the busy summer months when we cater for many visitors. Although we are small in comparison with all the neighbouring distilleries on Islay our spirit has already won many awards and is building up an excellent reputation both in the UK and around the world. 85% of our production is exported to 15 different markets worldwide including France, Germany, Japan and the USA. We outgrew our existing bonded warehouse on site over a year ago and now desperately require a new facility as close as is practicable to the distillery and in the meantime we are paying to use spare space at Bowmore and Bruichladdich. This cannot continue much longer.

Reasons for requesting the review:

- 1) Initial verbal consultations with both the senior planning officer and the local planning officer gave reason to believe that an application for this bonded store would be supported by the planning department. After visiting the site Mr Tim Williams was of the opinion that "the development would not be seen from the public road and no problem was anticipated with such an application". Mr

Richard Kerr, the then senior planning officer within the area concurred. This pre-application advice was identified in the original online planning application under pre-application advice details confirming that a meeting was held and stating “no significant difficulty, hidden from road and within rural opportunity area”. This was not continued on the fresh application dated 9 February 2010 as it was not a specific question within the paper version of the application for planning permission.

- 2) Although no claim for locational need or special circumstances was made in the application, this site was identified by the applicant as being moderately close to the distillery therefore keeping travel distances to a minimum. The proposed site is 8km from the distillery. Other sites investigated included:

Port Charlotte - 12km

Whin Park at Bridgend - 14km

Gleneedale - 29km

Port Ellen - 34km

The relatively close proximity of the proposed site to the distillery minimises transport costs and the development impact on the general environment consistent with policy LP ENV 1 in terms of traffic generation.

STRAT DC5 does allow support for development in the open country side of medium or large-scale development of a development with a locational need to be on or in the near vicinity of the proposed site. Due to the requirement for frequent transfer of produce and personnel, the closer the bonded store is to the distillery the better.

The proposed site comprises very poor quality agricultural land adjacent to existing industrial / agricultural buildings. STRAT DC4 – Development and Rural Opportunity Areas states “in special cases a medium or large-scale development may be supported if this accords with an area capacity evaluation which demonstrates that the specific development proposed will integrate

sympathetically with the landscape and settlement pattern and will entail or result in at least one of the following outcomes:

“...to a development with a locational need to be on or in the near vicinity of the proposed site”.

It is considered that the proposed development would integrate sympathetically with the landscape and adjacent agricultural/engineering buildings and would result in satisfying locational need. It is also the closest available site to the distillery.

- 3) There were no objections to the proposed development either from adjacent proprietors or consultees.
- 4) The proposed development is essential to the viability and retention of a new local distillery which employs 11 people. Failure to obtain a site suitable for a bonded warehouse within a reasonable distance of the distillery could jeopardise this business, employment and the local economy.
- 5) The proposed bonded warehouse would create 2 new jobs and allow further expansion of the distillery business which also supports STRAT DC 5 B2 “a positive development opportunity yielding ... economic development.”
- 6) Policy LP BUS 2 Business and Industry Proposals within the Countryside Development Control Zones states “Proposals for the development of new, or extensions to existing business and industrial development in the Countryside Development Zones will only be permitted where
... (B) proposals are for medium or large-scale development in the rural opportunity areas or for small-scale developments in the sensitive countryside where the applicant can demonstrate a clear operational need for a specific location within these countryside zones”. The proximity of the site to the distillery is a relevant issue. This policy also goes on to state that “in all cases the proposals will also require to meet the following criteria:

iii) Technical standards in terms of parking, traffic circulation, vehicular access and servicing, and pedestrian access are met in full” – this is satisfied by this site.

iv) The design, scale and siting of the new development respect the landscape/townscape character and appearance of the surrounding area” - this criteria is also satisfied in view of the adjacent existing development.

v) Good quality agricultural land is avoided, if poor quality land is available close by.” The site consists of poor quality agricultural land adjacent to agricultural buildings.

7) Other potential sites were examined as noted above in paragraph 2. Apart from the increased distance of travel from the distillery, each of these sites would have a significant impact on the amenity of the surrounding area as follows:

i) The site at Port Charlotte would be in the centre of the village between the road and the shore, probably contrary to conservation area policy LP ENV 14 and LP BUS 1 (C) and (F) and would create significant objections from local residents. The current owner is understood to be intending to develop the site for housing.

ii) The site at Glenegedale (on the landward side of the A846 at Islay airport) would have a significant visual impact and may be resisted by the airport authority. The identified owner did not own all the necessary land.

iii) The site at Glenegedale to the north of the link road and adjacent to the B8016 would have a severe visual and amenity impact on the surrounding dwellings contrary to policy LP BUS 1 (C).

iv) The site identified at Port Ellen at Imeravail would again have a significant visual impact on a generally residential area and contrary to policy LP BUS 1 (C). Also, the travel distance from the distillery would be excessive.

v) The site identified at Whin Park Bridgend is in the control of the Islay Estates Company. A close examination of this proposed area was made in conjunction with the Islay Estates Company but agreement could not be reached on a realistic commercial basis.

In conclusion, the development of the application site should be approved because

1. The site is suitable in landscape and existing land use terms being hidden from the road, on very poor agricultural land and adjacent to existing farm/engineering buildings.
2. Other potential sites are either too far from the distillery inconsistent with environmental sustainability, would have a severe visual impact and erode the residential character of areas or be commercially unviable.
3. Failure to allow the development of a bonded store within reasonable distance of the distillery would jeopardise the economic viability of an existing business employing 11 people and the employment of a further two staff.

I trust that the Local Review Body will approve this application for planning permission.

Martin Stewart
Stewart Consulting/Bowman Stewart
2nd December 2011

Kilchoman Distillery Bonded Warehouse

Submission for planning decision review.

Planning ref10/00263/PP

Photographs of proposed site.



1. Looking from south west. House in the foreground is the nearest dwelling to the site. The site is on the far side of the agricultural buildings.



2. The site is on the left of the agricultural buildings



3. The site extends down through the rushes.



4. The site is on the right.



5. This view is from the north east with the access road in the foreground. The site is in front of the agricultural buildings.

Stewart Consulting

27th October 2011

12th July 2011

The Planning Department
Argyll and Bute Council
67 Chalmers Street
Ardrishaig
Argyll PA30 8DX

Dear Sir or Madam

Bonded Warehouse, Islay

I refer to my letter dated the 31st March 2011.

I understand my architect, Martin Stewart, of Martin Stewart Consultants, had a meeting about the above last week and I can give you more information with regard our abortive attempts to find alternative sites to build our warehouse.

The only viable alternative to the identified site at Conisby was Whin Park. Although Islay Estates were willing to have a warehouse erected at Whin Park their terms weren't economically viable.

The ground rent proposal failed due to the building reverting to the landlord's at the end of the initial term

The proposal was for them to put up the building and lease to Kilchoman for an initial term of 10 years, however, through the discussions they demanded the following:

- 15 year lease minimum rather than 10
- 3 yearly rent reviews based on RPI (this meant that the rent by the 3/4th review could be way ahead of the property market).
- Guarantees for the full lease obligation from the directors rather than £500k (cost of warehouse) reducing by £50k per annum over 10 years. The guarantee had to remain in place regardless of how well the business was doing and regardless of the strength of Kilchoman Distillery's balance sheet.
- The lease might have been outside of the act which would have meant that we would have had no security of tenure at the site beyond year 15.

Islay Estates moved the goal posts quite substantially on several occasions on the basis that they had to be sure that they were going to get their 90/100% finance repaid come what may. This gave Kilchoman no room to manoeuvre and we therefore withdrew from the negotiations.

Yours faithfully

Anthony Wills
Managing Director

MS/SW 1768

14 April 2011

Head of Planning
Argyll and Bute Council
67 Chalmers Street
ARDRISHAIG
PA30 8DX

Dear Sirs

Kilchoman Distillery Company Ltd - Proposed Bonded Warehouse at Land North East of Conisby, Bruichladdich, Isle of Islay

I refer to my application on behalf of Mr Anthony Wills and subsequent discussions with your staff and would ask you to determine this application as soon as practical. I enclose a copy of a letter dated 31 March 2011 from Mr Wills, Managing Director of Kilchoman Distillery Company Ltd, in support of this application.

You will appreciate that our initial discussions with your staff were favourable but when assessed against the then emerging local plan the proposals were found to be contrary to Policy LP BUS2.

Significant effort was made by our clients and indeed ourselves to attempt to identify an alternative location on the Island of Islay and sites at Port Charlotte, Octofad, Glenegeedale, Whin Park, and Port Ellen were identified and pursued. However, none of these sites were found to be suitable or commercially viable.

The proposed site at Conisby is adjacent to existing large scale agricultural sheds, is in poor quality agricultural land and partially brown field, and is sited with minimum visual impact and in a rural opportunity area.

It is also sited moderately closely to existing bonded warehouses associated with Bruichladdich Distillery.

I therefore submit/

14 April 2011

I therefore submit that the application site, while partially contrary to the local plan, is an ideal location for this proposal and that no suitable alternative has been found.

Yours faithfully

Martin Stewart

Enc.

cc Mr Anthony Wills



15 APR 2011

31st March 2011

The Head of Planning
Argyll and Bute Council
67 Chalmers Street
Ardrishaig
Argyll PA30 8DX

Dear Sir

Bonded Warehouse, Islay

In the Summer of 2009 we identified a piece of land owned by Iain MacPherson to erect a bonded warehouse. The plot is adjacent to David MacPherson's agricultural engineering works. When we submitted this application to the planners, the initial feedback we received was that planning was likely to be turned down as it did not conform to the recently adopted local plan policy.

In the summer of 2010, Martin Stewart, of Stewart Consulting and I met with Peter Bain and Tim Williams and various alternative plots were suggested that would be suitable for our requirements. The most suitable being Whin Park and Glenegedale. A further plot at the disused warehouse in Port Charlotte was subsequently discounted as the present owner, John Mackenzie, was seeking residential planning.

Both the Whin Park and Glenegedale sites were investigated over many months. The Glenegedale site was ruled out completely when it was discovered the owner, John MacKenzie, didn't own some of the land he was trying to sell us. We had long and protracted discussions with Islay Estates about either leasing a plot, or for them to erect and rent us a warehouse. Both were eventually discounted due to the totally unreasonable terms sought by Islay Estates.

It is very difficult to secure land for commercial use on Islay, as most landlords are either unwilling to sell plots or, they are holding out for residential planning and better value for themselves, or the land isn't zoned for industrial use. Kilchoman Distillery is a new business and already employs 8 full time and 3 part time employees. We are now desperate to secure more warehousing for our maturing whisky, and it is vitally important that we do this on Islay. We have now spent one and a half years trying to find suitable land on Islay and the situation is becoming critical.

The malt whisky business is vital to the economy of Islay and I urge you to support our application to erect a warehouse at the Conisby site.

Yours faithfully

Anthony Wills
Managing Director


KILCHOMAN DISTILLERY Co Ltd



Reference No:		
Application Type		
National	Major	Local

Please send your completed application to: Planning Services, Dalriada House, Lochnell Street, Lochgilphead, PA31 8ST

The undemoted applicant hereby makes application for planning permission for the development on this form and on the accompanying plans.
 This form should not be used for applications for Planning Permission in Principle or an application for an approval of a matter specified in a condition, or Mineral Consent, Listed Building Consent, Conservation Area Consent, Advertisement Consent, Certificates of Lawfulness or Prior Notification as separate application forms are available for these.
 Note: There is a simpler 'Householder' application form for domestic extensions, garages, dormers etc.
 Important: Please check whether you also require a building warrant, or permission under any other enactment in addition to planning permission.

1(a) Applicant (IN BLOCK CAPITALS) Full Name <u>MR ANTONY WILLS</u> Address <u>KILCHOMAN DISTILLERY Co Ltd.</u> <u>ROCKSIDE FARM</u> <u>BENICHLADDICH, ISLAY</u> Post Code <u>PA49 7UT</u> e-mail Tel No	1(b) Agent (see note 1) Full Name <u>Stewart Consulting</u> Address  <u>Buildings & Infrastructure</u> <u>1 Victoria Buildings</u> <u>34 Union Street</u> <u>Lochgilphead Argyll PA31 8JS</u> Post Code <u>Tel: 01546 606067 Fax: 01546 606091</u> e-mail Tel No
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2. Description of Proposed Development (see note 2)
PROPOSED ERECTION OF A BONDED WAREHOUSE INCLUDING ASSOCIATED SECURITY FENCE, HARDSTANDING AND ACCESS IMPROVEMENTS

3. Location of the land to which the development relates (see note 3)
 (A) Postal address of development

 OR
 (B) In the case where the land in question has no postal address, a description of the location of the land
LAND NORTH EAST OF GONISBY BENICHLADDICH, ISLE OF ISLAY

4. Use of site/buildings. Please specify the proposed use class in terms of the Town & Country Planning (Use-Classes) Scotland (Order) 1992
 (A) Description of uses and operations to be carried out on the site or within the building(s)
CLASS 6 STORAGE
 (B) Proposed days and hours of operation
8am to 8pm - Mon - Sun
 (C) Will the site/buildings be open to visiting members of the public? (tick as appropriate)
 Yes No

5. Site/Floor area (complete as appropriate) (see note 5)
 Proposed site area of the development (site edged red - taking account of the definition in the notes for guidance)
1.29 ha.
 Floor area of building (including all floors) 2040sqm

6. Demolition (see note 6)
 Will any buildings or structures be demolished in connection with the proposed development?
 Yes No
 If YES, identify the building(s) to be demolished on the site plan.

APPLICATION FOR PLANNING PERMISSION

7. Is a claim of locational need or special circumstances being made (see note 7)

(A) Is a claim of locational need being made (as in the notes for guidance?) If YES, please give details in a covering statement. Yes No

(B) Is a claim of special circumstances being made, after reference to the accompanying notes for guidance, including croft or farm diversification. If YES, please give details in a covering statement Yes No

8. Development affecting a Registered Croft (see note 8)

Does the site form part of a registered croft? Yes No

If so, please supply the croft registration number/reference _____ and show on a separate plan the croft boundary on edged in green

Has the croft been the subject of an operational plan approved or submitted to the Crofters Commission If YES, please supply a copy Yes No

Is there an existing croft dwellinghouse(s) within the boundary of the croft? Yes No
If YES, please show the position of the dwellinghouse(s) on the separate plan of the croft boundary

9. Housing development applications (including affordable housing) (see note 9)

For each housing development application please specify the following information: N/A

(A) Types (please tick as appropriate)

Houses	<input type="checkbox"/>	No. of units	<input type="text"/>
Flats	<input type="checkbox"/>	No. of units	<input type="text"/>
Croft houses	<input type="checkbox"/>	No. of units	<input type="text"/>
Other	<input type="checkbox"/>	No. of units	<input type="text"/>

For other, please specify the type (i.e. sheltered housing)

(B) Number of "affordable housing" units

The type and number of "affordable housing" units proposed for the site should be detailed below. It should be noted that any proposal for eight or more dwellinghouses will require a minimum of 25% "affordable housing" units and reference should be made to the Council's policy on affordable housing that is available from the website at www.argyll-bute.gov.uk

Houses	<input type="checkbox"/>	No. of affordable units	<input type="text"/>
Flats	<input type="checkbox"/>	No. of affordable units	<input type="text"/>

(C) (i) What is the means of providing the proposed affordable housing units (e.g. through a Registered Social Landlord)

(ii) A phasing plan should be included to show at what stage(s) in the development the affordable housing will be provided.

10. Licensed Premises (see note 10)

(A) Are the existing premises used for the sale or consumption of alcohol under a licence granted in terms of the Licensing (Scotland) Act 2005? Yes No

If YES, please include a copy of the operating plan as submitted to and approved by the Licensing Board.

(B) Is it intended that the existing and/or proposed premises be used for the sale or consumption of alcohol under a licence granted in terms of the Licensing (Scotland) Act 2005? Yes No

If YES, please include a copy of the proposed operating plan that is to be submitted to the Licensing Board.

11. Access Arrangements (see note 11)

- No change New vehicular access
- Existing vehicular access to be used
- Existing vehicular access to be altered/improved
- Separate pedestrian access proposed

12. Parking Arrangements (See note 12)

- No change
- Number of existing on-site parking places 0
- Number of additional on-site parking places 3
- Only off-site park available
- In the case of off-site parking, the location of the parking: _____

13. Off-site access/road improvements (see note 13)

Is it intended to provide "off-site" access/road improvements? Yes No

If YES, please give a description of the improvements proposed, which should be included on the application site edged red EXISTING ACCESS TRACK AND JUNCTION WITH CLASSIFIED ROAD IMPROVED AND UPGRADED.

14. Drainage Arrangements (tick one box only) (see note 15) N/A.

- Connection to existing public sewer
Connection to existing private sewer/septic tank Single septic tank or biodisc proposed
Two or more septic tanks or biodiscs proposed Other type of private system (specify on plans)
Please specify type of outfall for septic tank(s) or biodisc(s)

15. Water supply arrangements (tick one box only) (see note 14) N/A

- Connection to existing public main Proposed connection to public main
Existing private supply to be used Proposed private supply
Please identify the proposed private water supply source, any proposed pipes and storage arrangements on the Site Plan within the site edged in red.

16. Proposed Materials (Complete as appropriate) (see note 16)

- Outside Walls: Material PROFILED STEEL / CONCRETE WITH SMOOTH RENDER Colour TBC / RENDER - DARK GREY.
Roof Covering: Material PROFILED STEEL Colour TBC
Hard-standings: Material TYPE 1 / CONCRETE Colour DARK GREY.
Access Roads/footways: Material TYPE 1 Colour DARK GREY
Windows: Material N/A Movement Colour

17. Are any trees to be cleared from the site? (see note 17)

Not Applicable Yes No If YES, show details of trees to be retained/felled/replanted on Site Plan.

18. Commercial & Industrial Development (see note 18)

- Nature of proposed Uses/Operations/Processes BONDED STORE
Number of Employees: Existing 2 Additional jobs created 2
Provision for Loading/Unloading WITHIN SITE

19. Tourist related Development (see note 19) N/A

- (A) Proposed type of tourist use(s)
(B) With respect to tourist related development, the type of accommodation proposed
Self contained units Caravans Tent pitches
In the case of hotels/boarding houses etc, number of bedrooms
Other
(C) During which months of the year will the accommodation be available?

20. Landscaping

Is it intended to carry out landscaping within the site? Yes No

If YES, a separate scaled landscaping plan should be submitted giving details of the numbers, type, specification of all trees and plants to be included in the scheme, together with a planting schedule and maintenance proposals.

21. Woodland Management

Is it intended to carry out any Woodland Management as part of the proposal? Yes No

If YES, a separate scaled plan of the woodland should be included together with the proposed management plan, including felling, re-stocking, control of undergrowth and planting proposals.

22. Are any biodiversity improvements proposed? Yes No
 If YES, a separate scaled plan of the proposed improvements and schedule of works should be included

THIS SECTION MUST BE COMPLETED IN EVERY CASE

Ownership Certificates Under Regulation 15(2) of The Town and Country Planning
 (Development Management Procedure) (Scotland) Regulations 2008

Does the land or any part of the land to which this application relates constitute or form part of an agricultural holding (see note (b) overleaf) YES NO

I HEREBY CERTIFY THAT 21 DAYS BEFORE THE DATE OF THE APPLICATION : (Tick one box only)

No person (other than the applicant) was the owner of any of the land to which the application relates, or an agricultural tenant. OR;	<input type="checkbox"/>
The applicant DOES NOT OWN all the land involved in the application site, but has given a copy of the requisite Regulation 15(1) Notice to the owner(s) (see note (a) overleaf) or agricultural tenant (see note (b) overleaf) of any part of the application site, who are listed below in Section A. OR;	<input checked="" type="checkbox"/>
The applicant has been unable to notify all owners / agricultural tenants of the application site, after having taken the measures detailed in Section B to identify them.	<input type="checkbox"/>

Those Notified in terms of Regulation 15(3) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 are:

SECTION A

Name of Owner/ Agricultural Tenant	Address	Date Notified
Mr I. MACPHERSON	LOCHVIEW, CONISBY, BEUKELADDICH ISLE OF ISLAY	10/02/10
.....
.....
.....
.....

Details of the measures taken to identify notifiable parties in terms of Regulation 15(3) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 who the applicant has been unable to notify under Regulation 15(1) of said Regulations:

SECTION B

.....

.....

.....

DECLARATION

I hereby certify that I, the applicant/applicant's agent, have given correct and complete information and given the requisite notices to all parties who have a notifiable interest in terms of Regulation 15(1) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

SIGNED STEWART CONSULTING DATE 09/02/10

Warning :

Jul 09

If any person issues any certificate which purports to comply with the requirements of Regulation 15 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 which contains a statement which he knows to be false or misleading in a material particular, or recklessly issues a certificate which purports to comply with those requirements and which contains a statement which is false or misleading in a material particular, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

NOTES

- (a) In terms of Regulation 15 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, an owner is defined as any person who in respect of any part of the land is the proprietor of the dominium utile or is the lessee under a lease thereof of which not less than 7 years remains unexpired. In the case of Mineral Extraction Applications, the definition of owner also extends to persons entitled to an interest in any mineral in, or under the land.
- (b) In the Agricultural Holdings (Scotland) Act 1991, the expression "Agricultural Holding" means the aggregate of the agricultural land comprised in a lease, not being a lease under which the said land is let to the tenant during his continuance in any office, appointment or employment held under the landlord.

PERSONAL INFORMATION

The information provided by you and by other relevant parties will be used to help determine whether or not planning permission should be granted. Your planning application will be processed by employees of Argyll and Bute Council. The completed application form and any other information you provide will be available for public inspection in Council offices and may be shared with other appropriate professionals and service providers and will be displayed on the Council's website. However, in terms of the Council's website, personal information of the applicant in terms of phone number, signature and e-mail address will be deleted.

LIST OF SUPPORTING DOCUMENTATION

Please tick as appropriate

- (i) Pre-application Consultation Report.....
- (ii) Design or Design/Access Statement.....
- (iii) Environmental Impact Statement.....
- (iv) Environmental Impact Assessment Screening or Screening/Scoping Opinion.....
- (v) Flood Risk Assessment.....
- (vi) Drainage Impact Assessment/SUDS.....
- (vii) Transport Plan.....
- (viii) Transport Assessment.....
- (ix) Retail Impact Assessment.....
- (x) Licensed premises operating plan.....
- (xi) Other (please specify).....