Argyll and Bute Council
Development & Infrastructure Services

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: 11/00901/PP
Planning Hierarchy: Local Development
Applicant: Miss Mairi Porter
Proposal: Erection of gates and fencing (retrospective)
Site Address: Holy Coo Restaurant, 22 Shore Street, Bowmore, Isle of Islay

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Supplementary Report No. 1

Subsequent to the main report under consideration, one additional letter of representation has been received (13.02.12) from ECD Architects on behalf of Bowmore Distillery.

This representation raises objection by Bowmore Distillery to the gated access between the Holy Coo and the stone wall adjoining the site, of which one gate is erected within the ownership of Bowmore Distillery. Concerns are raised in respect of the access to which they state is a 'common passage' from a title deed plan and concerns have been also been raised that the gate has been erected without the permission of Bowmore Distillery.

Comment: Bowmore Distillery have been correctly notified of this retrospective application under Regulation 15 as being a owner of the site, the undertaking of works on land in the ownership of a third party is a civil matter which would require to be resolved between the applicant and Bowmore Distillery and as such is not a material planning consideration.

RECOMMENDATION

Notwithstanding the issues raised by Bowmore Distillery, Members are commended to approved planning permission subject to the conditions and reasons set out in the Head of Planning and Regulatory Service's main report on this item.

Author of Report: Kim MacKay **Date:** 14th February 2012

Reviewing Officer: Peter Bain **Date:** 14th February 2012

Angus J. Gilmour.

Angus Gilmour
Head of Planning & Regulatory Services