

Argyll and Bute Council
Comhairle Earra Gháidheal agus Bhóid

Development and Infrastructure Services

Director: Sandy Mactaggart

Municipal Buildings Albany Street Oban PA34 4AW

Admin e-mail address: amanda.hutton@argyll-bute.gov.uk
Planning Officer e-mail address: planning.hq@argyll-bute.gov.uk

Our Ref: 13/01066/CLAWU
Scottish Gov Ref: 000063905-001

28 May 2013

Mr Michael Campbell
J R Litster Architectural Services
Half Acre Hill
Craobh Haven
Lochgilphead
PA31 8UA

Dear Sir/ Madam,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED)

APPLICANT: Mr Michael Campbell

PROPOSAL: Certificate of lawfulness - use of existing farmyard and shed for the storage of plant, machinery and materials associated with agricultural contracting and engineering business

SITE ADDRESS: Arduaine Farm Arduaine Oban Argyll And Bute PA34 4XQ

I acknowledge receipt of your application for certificate of lawfulness which was received on 23rd May 2013, together with the fee of £382. Further to checking your application it has been found to be valid on receipt and has now been registered.

Your application reference number is 13/01066/CLAWU which should be quoted in all communications with the Council. Please note that for the purpose of the planning decision notice, the description of your application will be as described in the "proposal" above. If you disagree with this description in any way, please do not hesitate to contact the Area Office in order for any changes to be made. Contact should be made within 5 working days of this letter to allow for any changes to be made.

If you have not received a formal decision within 2 months of the valid date noted above and you have not agreed in writing that the above period can be extended, you can appeal to the Scottish Government in accordance with Section 154 of the Town and Country Planning (Scotland) Act 1997.

If you wish to appeal against the non determination of your certificate of lawfulness, you should write to the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk FK1 1XR. The service of the notice of appeal must be received by the Directorate for Planning and Environmental Appeals within six months of the expected decision date unless the application has already been referred to the Scottish Government.

If this situation does arise, I would suggest that you get in touch with the relevant Area Planning

Office to discuss the application since an appeal may not be necessary. If you wish to discuss the application while it is with the Council, please contact either my Administration Officer Amanda Hutton on 01546 604842 or Allocated To Area Office on 01546 605518 who is the Planning Officer dealing with the case.

From 1st September 2006 you can view progress of this or any other application by visiting the Councils Web Site at www.argyll-bute.gov.uk clicking on the "Public Access" icon and entering the application number. The "public access" module will allow you to see if any representations have been received on the application, together with an estimated/target report date.

Yours faithfully

Angus J. Gilmour
Head of Planning and Regulatory Services



Central Validation Team at Argyll and Bute Council Whitegates Road Lochgilphead PA31 8SY

Tel: 01546 604840

Fax: 01546 604822

Email: planning.hq@argyll-bute.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000063905-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Site Address Details

Planning Authority:

Argyll and Bute Council

Full postal address of the site (including postcode where available):

Address 1:

ARDUAIN FARM

Address 5:

Address 2:

ARDUAIN

Town/City/Settlement:

OBAN

Address 3:

Post Code:

PA34 4XQ

Address 4:

Please identify/describe the location of the site or sites.

Northing

710602

Easting

179945

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant

Agent

Agent Details

Please enter Agent details

Company/Organisation:	J R Litster Architectural Services
Ref. Number:	
First Name: *	James
Last Name: *	Litster
Telephone Number: *	01852 500365
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	jim.litster@me.com

You must enter a Building Name or Number, or both:*

Building Name:	Half Acre Hill
Building Number:	
Address 1 (Street): *	Craobh Haven
Address 2:	
Town/City: *	Lochgilthead
Country: *	UK
Postcode: *	PA31 8UA

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	Michael
Last Name: *	Campbell
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	Hill House
Building Number:	
Address 1 (Street): *	Arduaine
Address 2:	Kilmelford
Town/City: *	By Oban
Country: *	UK
Postcode: *	PA34 4XQ

Type of Application

This application is to ascertain which one of the following would be lawful: *

- An existing use of buildings or land.
- An existing operation or development.
- Any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted.

Description of Existing Use of Buildings or Other Land and/or Existing Operations

Description of Existing Use, Buildings or Operations

Describe the existing uses, building works or operations for which you want a certificate of lawfulness: * (Max 500 characters)

Use of existing farmyard and shed for the storage of plant, machinery and materials associated with agricultural contracting and engineering business.

Existing Use Class

If a certificate of lawfulness is sought for either an existing use or an existing use in breach of a condition, please state the Use Class as described in the Town and Country Planning (Use Classes) (Scotland) Order 1997 the use relates to: *

Class 4 Business (Office/Light Industry)

Is there more than one use or activity/operation? *

Yes No

Grounds for Application for a Certificate of Lawfulness

Please state the grounds under which the certificate is sought: *
(Note: at least one option must be selected)

- The use began more than 10 years before the date of this application and has operated continuously.
- The use, building works, or operations in breach of condition began more than 10 years before the date of this application.
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- The operations (for instance, building or engineering works) were substantially completed more than 4 years before the date of this application.
- The use as a single dwelling house began more than 4 years before the date of this application.
- Other – specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Are there any existing planning permissions, Certificates of Lawfulness, enforcement notices or breach of condition notices affecting the application site?

Yes No

Information in Support of a Certificate of Lawfulness

When did the use or activity begin, and/or when were the building works or operations substantially completed? *

01/04/98

What information or documentation are you providing with your application to support this date? *

- A plan
- Evidence to substantiate your grounds of application
- Other supporting information

In the case of an existing use or activity, including an existing use or activity in breach of conditions, has there been any interruption or material change to the continuous use? *

Yes No

Does the application for a Certificate relate to a residential use where the number of residential units has changed?

Yes No

Please explain why you consider a Certificate of Lawfulness should be granted: *
(Max 500 characters)

The applicant has continuously used the existing farmyard and shed at Arduaine Farm for the storage of plant, materials and equipment associated with his agricultural contracting and engineering business established on 01/04/1998 as a sole trader enterprise and subsequently incorporated as Arduaine Farm Services Ltd on 29/08/2003.

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Any other Particulars or Supplementary Information

Please provide any other particulars or information here which you consider may be relevant:
(Max 500 characters)

This application relates to a request for further information by the Local Review Body in relation to review reference: 13/0002/LRB

List of Documents, Drawings or Plans which accompany this Application

Please provide a full list of documentation, drawings or plans which accompany this application which you are submitting as supporting information and evidence: * (Max 500 characters)

Location Plan, Copy of VAT Registration Certificate for Arduaine Farm Services, Copy of the Certificate of Incorporation of a Private Limited Company for Arduaine Farm Services Ltd.

Interest In Land

Please state the applicant's interest in the land: *

Owner Lessee Tenant Occupier Other

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Checklist - Application for a Certificate of Lawfulness of Existing Use or Development

The burden of proof in a Certificate of Lawfulness is firmly with the applicant and therefore sufficient and precise information should be provided.

Please complete the following checklist to make sure you have provided all the necessary information in support of your application. Failure to submit the required information may result in your application being deemed invalid. The Planning Authority will not start processing your application until it is valid.

A copy of a plan, showing the boundary of the site. The plan should identify the land to which the application relates and should be drawn to an identified scale. Where such an application specifies two or more uses, operations or other matters, the plan which accompanies the application is to indicate to which part of the land each such use, operation or other matter relates. *

Yes No

All evidence provided in support of your application. *

Yes No

A statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application. *

Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been received by the planning authority.

Declare - Certificate of Lawfulness - Existing Use or Development

I, the applicant/agent certify that this is an application for a Certificate of Lawfulness as described in this form and the accompanying plans/drawings and additional information.

Declaration Name: James Litster

Declaration Date: 20/05/2013

Submission Date: 20/05/2013

WARNING:

Section 153 of the 1997 Act provides that it is an offence to knowingly or recklessly provide false or misleading information or to withhold material information with intent to deceive.

Section 152(7) enables the planning authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information or if material information has been withheld.

Payment Details

Cheque: Mr Michael Campbell, 000672

Created: 20/05/2013 23:31

**CERTIFICATE OF REGISTRATION
FOR
VALUE ADDED TAX**



HM Customs
and Excise

ARDAINE FARM SERVICES LTD
WATTS COTTAGE
ARDAINE FARM
KILMELFORD
BY OBAN
ARGYLL
PA34 4XQ

005/00000013

REGISTRATION NUMBER 699 6537 53

EFFECTIVE DATE 1 APRIL 1998

AMENDED
CERTIFICATE ISSUED ON 13 NOVEMBER 2003

RETURNS TO BE MADE IN RESPECT OF
PERIOD ENDING 31 DECEMBER 2003
AND THREE MONTHLY THEREAFTER

NO BANK DETAILS SUPPLIED.

LEGAL ENTITY INCORPORATED COMPANY

TRADE CLASSIFICATION 01410 -
AGRICULTURAL SERVICES

Please check the above details are correct. It is particularly important that your bank details are accurate as they will be used to make any repayment of tax that may be due to you.

You should inform the National Registration Service of any error or change in these details. Please refer to the supplement of notice 700/1 *Should I be registered for VAT?* or refer to the Customs and Excise website at www.hmce.gov.uk, to find out which of the registration sites you should contact.

If you need further advice and help please ring the Customs and Excise National Advice Service on 0845 010 9000 between 8.00am and 8.00pm, Monday to Friday. If you have hearing difficulties, please ring the Textphone service on 0845 000 0200.

If you would like to speak to someone in Welsh, please ring 0845 010 0300, between 8.00am and 6.00pm, Monday to Friday.



CERTIFICATE OF INCORPORATION OF A PRIVATE LIMITED COMPANY

Company No. 255062

The Registrar of Companies for Scotland hereby certifies that

ARDUAINE FARM SERVICES LTD

is this day incorporated under the Companies Act 1985 as a private company and that the company is limited.

Given at Companies House, Edinburgh, the 29th August 2003



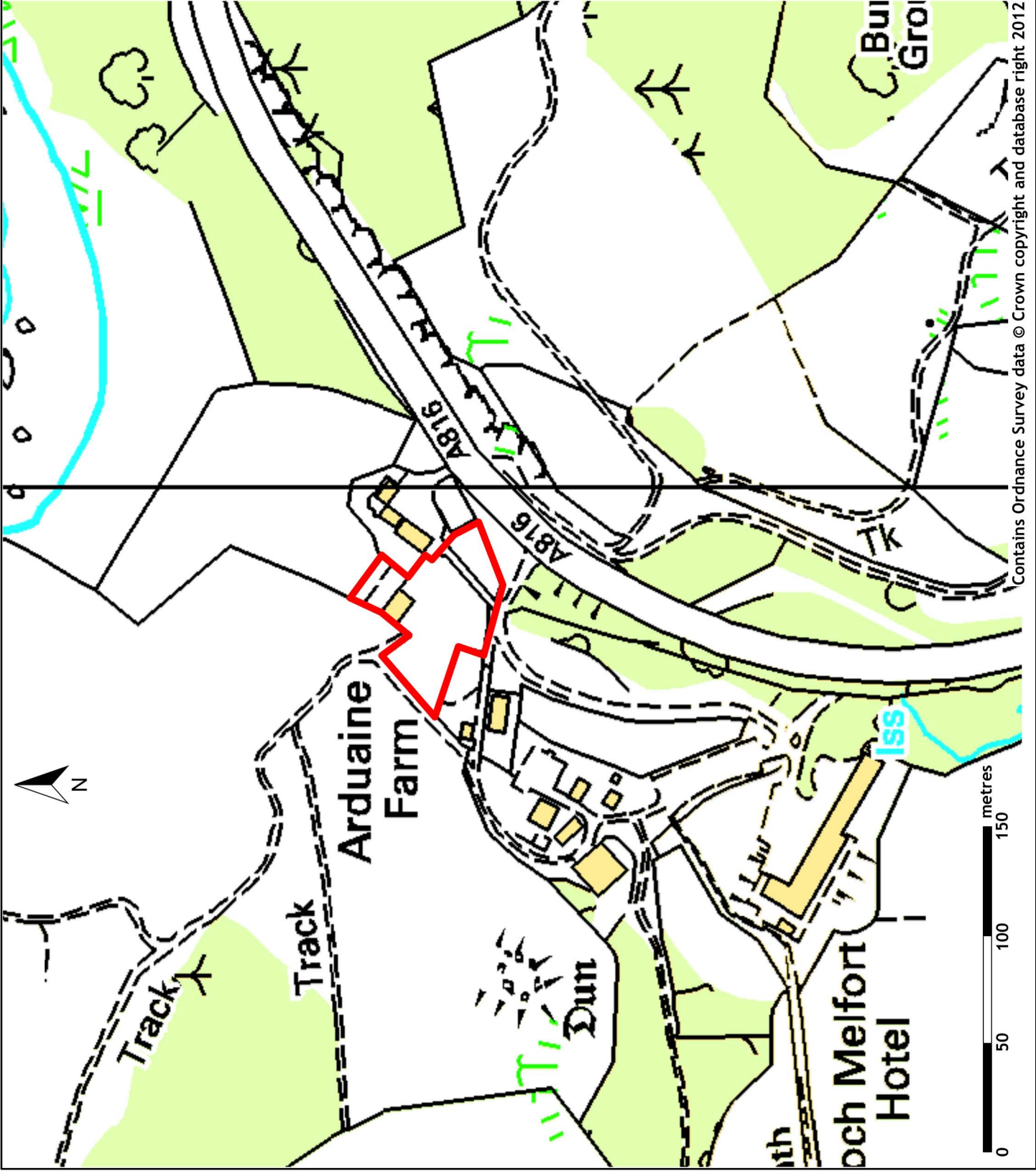
THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES



Companies House

— for the record —

The above information was communicated in non-legible form and authenticated by the Registrar of Companies under section 710A of the Companies Act 1985



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notes

— Site Boundary

Site Location: 179973E 710592N

client	Mr Michael Campbell Hill House, Arduaine		
project	Arduaine Farm Argyll, PA34 4XQ		
drawing	Location Plan		
project no	dirg.no	revision	date
033	033/CLU01		20.05.13
scale	drawn	checked	date
1:2500@A4	JRL		20.05.13
j.r.litster architectural services half acre hill, craobh haven, lochgilphead pa31 8ua tel: 01852-500365 jim.litster@me.com			