

T: [REDACTED]  
E: [REDACTED]

[REDACTED]  
Area Team Leader  
Development Management  
Development and Economic Growth  
Argyll and Bute Council

Your ref: 17/01205/PP/NOTIFICATION  
Our ref: NA-ABC-025  
5 May 2020

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)  
(SCOTLAND) DIRECTION 2009  
ERECTION OF RETAIL UNIT, VISITOR CENTRE AND SELF CATERING  
ACCOMMODATION AT SITE WEST OF TAIGH SOLAIS, LEDAIG, TOBERMORY  
INCLUDING REALIGNMENT OF ESCAPE STAIRS TO TAIGH SOLAIS AND  
MacGOCHANS**

I refer to your letter of 28 January 2020 notifying the above application to Scottish Ministers as Argyll and Bute Council are minded to grant planning permission for this development against the advice of the Scottish Environmental Protection Agency (SEPA).

Having considered the proposal, the Scottish Ministers have decided, in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997, to require the application to be referred to them for determination. Accordingly, a Direction, given in terms of Section 46 is enclosed.

The Scottish Ministers have given this Direction in view of the proposed development's potential conflict with national policy on flooding. It is considered that the issues raised would benefit from further scrutiny by Ministers.

Regulation 35 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Ministers will be final. In connection with the service of notice, your attention is drawn to regulation 48 of those Regulations which applies section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy. The planning authority is

also required to include a copy of the decision to call in the application on the planning register in accordance with regulation 16 and paragraph 3(d) of Schedule 2.

In terms of the Town and Country Planning (Appeals) (Scotland) Regulations 2013, the application will be submitted to the Directorate for Planning and Environmental Appeals (DPEA) in Falkirk for an examination by a Reporter. I would be grateful if you would prepare all the application documentation and send it to David Henderson at [dpea@gov.scot](mailto:dpea@gov.scot) who will make arrangements for processing the case. Thereafter the appointed Reporter has been asked to submit a report with recommendations to Scottish Ministers for their consideration and determination.

Any queries relating to the future handling of the case should be directed to DPEA.

Yours sincerely

[Redacted signature]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
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ERECTION OF RETAIL UNIT, VISITOR CENTRE AND SELF CATERING  
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MacGOCHANS - 17/01205/PP**

The Scottish Ministers, in exercise of the powers conferred on them by Section 46(1) of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that Argyll and Bute Council refer to them for determination the application for full planning permission under the Town and Country Planning (Scotland) Act 1997 received by them from Beaton + McMurchy Architects Ltd on behalf of Argyll Properties Ltd. for the erection of retail unit, visitor centre and self catering accommodation at site West of Taigh Solais, Ledaig, Tobermory including realignment of escape stairs to Taigh Solais and MacGochans.

This Direction is given in view of the proposed development's potential conflict with national policy on flooding. It is considered that the issues raised would benefit from further scrutiny by Ministers.

This Direction may be cited as the Town and Country Planning (Reference of Application) (Argyll and Bute Council) (Erection of retail unit, visitor centre and self catering accommodation at site West of Taigh Solais, Ledaig, Tobermory including realignment of escape stairs to Taigh Solais and MacGochans) Direction 2020.

  
Assistant Planning Decisions Manager

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5 May 2020