

5. WHAT YOU ARE REQUIRED TO DO

As the owners of the Land Affected you are required t

EXPLANATORY NOTE FOR THOSE IN RECEIPT OF A NOTICE REQUIRING SUBMISSION OF A PLANNING APPLICATION FOR DEVELOPMENT ALREADY CARRIED OUT.

Relevant Legislation

Copies of s33A and s123 of the Town and Country Planning Scotland Act 1997, as amended, are attached.

What does this notice mean?

You have received this notice because the planning authority believe that you have either built something or are doing something on your property for which you should have obtained planning permission, or built something having failed to comply with any condition or limitation subject to which planning permission has been granted. The planning authority has therefore issued you this notice requiring you to submit a planning application for the work that has been carried out (a retrospective planning application).

What happens next?

You need to submit a planning application by the date stated in the Notice. When submitting a planning application you will require to pay the requisite fee.

What happens if I don't submit an application?

If you don't submit an application the planning authority may take further enforcement action. This can ultimately mean that you may be required to remove the development and/or, should you fail to comply with further enforcement action, that you could face prosecution. You should note that a notice issued under s33A of the Act constitutes the taking of enforcement action and this notice may accordingly affect the timescales in which the Council may take further enforcement action against you.

What happens if I think I should not have received the notice?

If you believe that you should not have received this notice; for example, because you have no interest in the land to which it relates, then you should contact the local planning department as soon as possible.

If I submit a retrospective planning application, how will it be dealt with by the planning authority?

Your application will be handled in exactly the same way as any other application. You

