

**IMPORTANT – THIS NOTICE AFFECTS YOUR PROPERTY AND HAS IMMEDIATE EFFECT.**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**NOTICE REQUIRING SUBMISSION OF A PLANNING APPLICATION FOR DEVELOPMENT ALREADY CARRIED OUT**

**REFERENCE NUMBER: 18/00030/ENFLB**

To:

Mr Gregg Devine  
The Old Reading Room  
Sandbank  
Dunoon  
PA23 8PE

1. **THIS IS A FORMAL NOTICE** which is issued by Argyll and Bute Council, as Planning Authority, under s33A of the Town and Country Planning (Scotland) Act 1997, as amended, ('the Act'), because there has been a breach of planning control under Section 123(1) (a) of the Act as development has been carried out in, on, over or under the Land Affected

('hereinafter re

3. **THE BREACH OF PLANNING CONTROL**

In terms of Section 123 (1) (a) of the Act, the carrying out of development without the required planning permission relative to:

**The alteration to the boundary wall along the north corner and installation of vehicular access gate.**

In, on, over or under the Land Affected.

4. **REASONS FOR ISSUING THIS NOTICE**



## **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. 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 either submit a planning application by the date stated in the Notice or reinstate the land 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 should be aware that the fact that you have been served this notice does not mean that permission will be granted. If the planning application is unacceptable then the planning authority may refuse it (in which case you may appeal) or may grant it subject to whatever conditions or restrictions are considered necessary to make the application acceptable.

**RELEVANT LEGISLATION**

**Town and Country Planning Scotland Act 1997**

Section 33A

Where there is a breach of planning control the planning authority may issue a notice—

(a) requiring the owner of the land in, on, over or under which the development has been carried out to

5.9m

Millnar Cottage  
Oakbank  
Hotel

A 815

Oakbank  
Cottage

The Old Reading  
Room

Benmore

The Skilling

6.0m

Ardenlea  
House

TCB

Harvester  
House

Oakfield  
Place

0 3.5 7 14 Meters

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Location Plan Reference to

18/0030/ENFLB

Cell - 111 Notice.



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