

IMPORTANT – THIS NOTICE AFFECTS YOUR PROPERTY AND HAS IMMEDIATE EFFECT

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED

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

REFERENCE NUMBER: 19/00270/ENOTH3

To: Mr Peter Weir
North Ledaig House
North Ledaig
Oban
PA37 1NT

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) (b) of the Act as development has been carried out in, on, over or under the Land Affected described below without the required planning permission.

2. **THE LAND AFFECTED**

That plot or area of ground shown delineated in red on the attached plan which plot or area of ground forms land to the south west of Campbell Hall Cottage ('hereinafter referred to as the Land Affected').

3. **THE BREACH OF PLANNING CONTROL**

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

Unauthorised erection of fence

The location of this alleged unauthorised development is outlined on the attached plan.

4. **REASONS FOR ISSUING THIS NOTICE**

Argyll and Bute Council, in exercise of their power under section 33A of the Act, require you to submit an application to them, as Planning Authority, for planning permission to regularise the breach(s) listed in Section 3 of this notice.

5.

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

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 make an application to them for planning permission for the development,

(b) describing the development in a way that is sufficient to identify it,

(c) specifying a date by which the application is to be made, and

(d) setting out the terms of section 123(1).

Section 123

(1) For the purposes of this Act—

(a) carrying out development without the required planning permission 0

