

Argyll and Bute Council
Comhairle Earra Ghàidheal agus Bhòid



Development and Infrastructure Services

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5 July 2013

Mr and Mrs P. J. ...

3 Kylie View
Kilcreggan
G84 6HD

Dear Mr and Mrs P. J. ...

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
BREACH DETAILS
SITE ADDRESS: ...**

Further to previous correspondence, the breach of planning control has yet to be submitted.

I therefore enclose a notice under s.189A of the Act requiring application within 4 weeks. The failure to comply with this notice is an offence under the terms of s.189 of the Act.

If you are in any doubt about the meaning of the Notice, please seek independent legal advice at the earliest opportunity.

Yours faithfully;

Martin Hannah
Planning Officer (Monitoring and Enforcement)
Bute and Cowal



required to give the information to the public about the information listed in the notice.

5. **WHAT YOU ARE REQUIRED TO DO**

Submit

that represents the

Time period for compliance: 4 weeks from the date the notice takes effect

7. **FAILURE TO COMPLY**

Please

1997 Act. Failure to comply with the notice may result in fines

include

6. **WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect

8. **YOUR RIGHT OF APPEAL**

You do not have a right of appeal against this

Dated: 5 July 2017

Ross

Development Manager

Bute

On behalf of

Angus J. Gilmore

Angus Gilmore

Head of Planning

Kilmory

Lochgilhead

Status: Law in Force

Town and Country Planning (General) Regulations 2008

Part VI ENFORCEMENT

Application

This version in force from 28 September 2008 to present

(version 2 of 2)

123. Expressions with which a notice is given with a view to

- (1) For the purposes of this Part, a notice is given with a view to
 - (a) carrying out development without having obtained a planning permission;
 - (b) failing to comply with a condition of a planning permission that has been granted; or
 - (c) initiating development without giving notice in accordance with section 27A(1) of this Act;
 - (d) carrying out development without displaying a notice in accordance with section 27C(1) of this Act.

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constitutes a breach of this Part.

- (2) For the purposes of this Part,
 - (a) the issue of an enforcement notice;
 - (b) the service of a breach condition notice;

under this Part constitutes taking enforcement action. It is an offence to issue a notice under section 23A(1).

- (3) In this Part "planning permission" includes planning permission under Part 3 of the 1990 Act.

Added by Statutory Instruments 2008 No. 2698, Town and Country Planning (General) Regulations 2008, reg. 123(1).

1.

Words added by Planning (Enforcement) Act 2008, section 1(1) (enabling orders or regulations to be made).

2.

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Subject to

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Status: Law in force

Town and Country Planning (Scotland) Act 1997

Part III CONTROL OVER DEVELOPMENT

Variation of application

This version in force from: **December 12, 2008 to present**

(version 1 of 1)

[33A Notice requiring application in planning permission for development already carried out

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

(a) requiring the owner of the land on 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 must be made,

(d) setting out the terms of section 122(1).

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1. Added by Planning (Scotland) Act 2008 (2008:17) section 2(1) and (2) for the purpose of giving effect to the provisions of the European Communities (Planning) Regulations 2009 (SI 2009/1000).

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Subject: Planning

Keywords: Breach; Notice; Planning; Application; Planning permission; Breach of planning control; Scotland