

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY
OR PROPERTY THAT YOU HAVE AN INTEREST IN**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

ENFORCEMENT NOTICE

REFERENCE NUMBER: 10/00319/ENAMEN

To: Patrick Docherty,
Westerhill Cottage,
Cardross,
G82 5EW

ISSUED BY: ARGYLL AND BUTE COUNCIL, KILMORY, LOCHGILPHEAD

1. THIS IS A FORMAL NOTICE which is issued by Argyll and Bute Council, having their head office at Kilmory, Lochgilphead, Argyll, PA31 8RT a local authority constituted under the Local Government etc (Scotland) Act 1994, and as such the Planning Authority for the area of Argyll and Bute in terms of the Town and Country Planning (Scotland) Act 1997 ("the Act") because it appears to them that there has been a breach of planning control, under Section 127 of the Act at the Land Affected as hereinafter defined. Argyll and Bute Council consider that it is expedienn registered in the Land Registry DMB13142, as shown edged red on the plan attached hereto labelled "Land Affected Registry Map DMB13142" (which said plot or area of ground is hereinafter referred to as "Affected")

3. THE BREACH OF PLANNING CONTROL ALLEGED

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

- x Unauthorised engineering, and other, operations in, over, and/or under the Land Affected.

4. REASONS FOR ISSUING THIS NOTICE

- I. The engineering, and other, operations in, over, and/or under the Land Affected ha

EXPLANATORY NOTE FOR THOSE IN RECEIPT OF AN ENFORCEMENT NOTICE

RELEVANT LEGISLATION

In respect of Sections 127, 130, 131 and 134 of the Act, copies of which are attached hereto, you will wish to note in particular the points referred below.

RIGHT OF APPEAL

If you wish to appeal against this notice, you should give written notice of the appeal to the Scottish Government at The Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR, which written notice of appeal must be received, or posted in time to be received, by the Scottish Government before, or sent to them using electronic communications at such a time that, in the ordinary course of transmission, it would be delivered to them before that date. The Scottish Government has no power to consider an appeal lodged out of time.

If you lodge an appeal, the enforcement notice is suspended and will not take effect unless the appeal is withdrawn or dismissed.

PENALTIES FOR NON-COMPLIANCE WITH AN ENFORCEMENT NOTICE

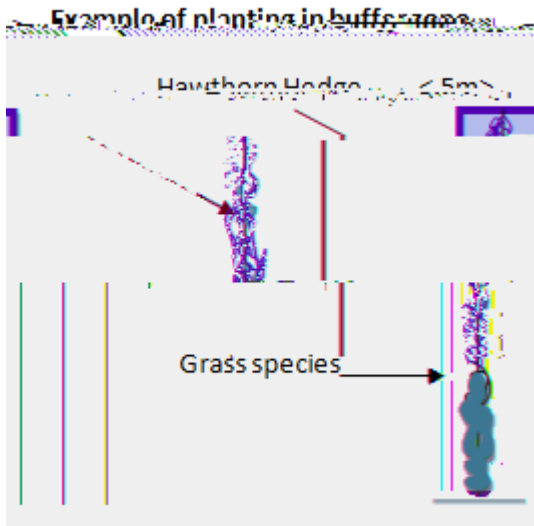
Where an enforcement notice requires the discontinuance of a use of land or compliance, in respect of a use of land or the carrying out of operations, with any conditions or limitations, then any person who, without the grant of planning permission uses the land or causes or permits it to be used, or carries out those operations or causes or permits them to be carried out, is guilty of an offence and liable on summary conviction to a fine not exceeding Twenty Thousand Pounds or on conviction on indictment to an unlimited fine. Further more, if the use is continued after conviction the person may be convicted of a second or subsequent offence.

DIRECT ACTION FOR NON-COMPLIANCE WITH AN ENFORCEMENT NOTICE

REQUIRED SCHEDULE OF WORKS:

General Overview of planting scheme

A landscaped Buffer Zone defined by Area A outlined on



Stage 3 – Grass Seeding/ Planting

Following stages 1 and 2 being undertaken and completed the following species shall be sewn on the remainder of the 5m Buffer zone annotated A on Plan 1

Timothy, Meadow fescue, Tall fescue, Creeping red fescue, Chewing's fescue, Red and White clover- at a rate of between 30 and 40 grms/m²

Conclusion

The recommended planting scheme, when completed and established, will reduce surface water run-off, stabilise the topsoil and provide a habitat for birds such a Song Thrush, Black Bird and Tree Sparrow. As the Hawthorn becomes established, it will flower thus attracting a number of species of Bumble Bee and a variety of insects.

The scheme seeks to address both flooding and soil stability issues as well as providing a more appropriate setting for the Listed Wall, both visually, and in ensuring it is not damaged by soil pressure against it from this adjoining land where levels have been raised without the benefit of planning permission.

All of the planting and other works set out in this notice are required to be maintained and thereafter retained unless with the written approval of the planning authority.

Alleg

Officer's ID / Date

TITLE NUMBER

W II

STATE OF ALABAMA

OFFICIAL RECORD

STATE OF ALABAMA

