





## 5. WHAT YOU ARE REQUIRED TO DO

As the owners of the Land Affected you are required to make an application to Argyll and Bute Council, as Planning Authority, for the development of the Land Affected that represents the breach of planning control.

Time period for compliance: 8

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?

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## 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 <sup>2</sup>

- (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 <sup>2</sup>

- (a) carrying out development without the required planning permission, or
- (b) failing to comply with any condition or limitation subject to sub-section 2 >> BD98 /P <

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Act and Part III of the 1972 Act.