

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: 17/00153/ENOTH2

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: 1 month from the date the notice takes effect .

6. FAILURE TO COMPLY

Please note that section 123(2) of the Act provides that, for the purposes of the Act, the issue of this notice constitutes taking enforcement action.

Failure to comply with this

EXPLANATORY NOTE FOR THOSE IN RECEIPT OF A NOTICE REQUIRING
SUBMISSION OF A PLANNING APPLICATION FOR DEVELOPMENT ALREADY
CARRIED OUT.

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 ²

- (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 ²

- (a) carrying out development without the required planning permission, or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted, or
- (c) initiating development without giving notice in accordance with section 27A(1) of this Act, or
- (d) carrying out development without displaying a notice in accordance with section 27C(1) of this Act, constitutes a breach of planning control.

(2) For the purposes of this Act ²

- (a) the issue of an enforcement notice, or
- (b) the service of a breach of condition notice,

under this Part constitutes taking enforcement action as does the issuing of a notice under section 33A

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