

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

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS  
AMENDED)**

**ENFORCEMENT NOTICE**

**REFERENCE NUMBER: 19/00238/ENFHSB**

To: Mr and Mrs G Gardner  
Invergare  
Glenarn Road  
Rhu  
Scotland  
G84 8LL

Having regard to the scale and proposed nature and pattern of the Development in conjunction with the proximity of dwellinghouses within a uniformly residential area, the Development is considered to be severely detrimental to the residential amenities of residents. It is considered to be out of keeping with the quiet residential character of the area and it is considered th

Time period for compliance: **28 days from the date this notice takes effect.**

#### **6. WHEN THIS NOTICE TAKES EFFECT**

This notice takes effect on **19<sup>th</sup> November 2021** subject to section 131(3) of the Act which provides that where an appeal is made to the Scottish Government before the date this notice takes effect that this notice shall be of no effect pending the final determination or the withdrawal of the appeal

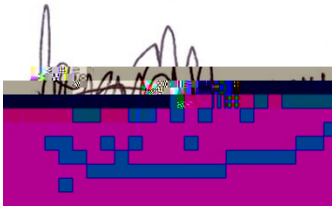
#### **7. YOUR RIGHT OF APPEAL**

You can appeal against this notice, but your appeal must be received or posted in time to be received by the Scottish Government before 19<sup>th</sup> November 2021. Schedule 1 to this notice gives information on your rights of appeal. **READ IT CAREFULLY.**

#### **8. WHAT HAPPENS IF YOU DO NOT APPEAL**

If you do not appeal against this notice, it will take effect on **19<sup>th</sup> November 2021** and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.

Dated: 15<sup>th</sup> October 2021



Head of Development and Economic Growth  
Kilmory  
Lochgilphead  
On behalf of Argyll and Bute Council, Kilmory, Lochgilphead, PA31 8RT

<p style="text-align: center;"><b>SCHEDULE 1</b> <b>EXPLANATORY NOTE FOR THOSE IN RECEIPT OF</b> <b>AN ENFORCEMENT NOTICE</b></p>
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**RELEVANT LEGISLATION**

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A summary of Sections 127 to 134 of the Town and Country Planning (Scotland) Act 1997 (as amended) are attached. You will wish to note in particular the points referred below.

**RIGHT OF APPEAL**

If you wish to appeal against this notice, you should write to the Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR. The appeal must be received, or posted in time to be received, by the Scottish Government before 19<sup>th</sup> November 2021. The Scottish Government has no power to consider an appeal lodged out of time.

The appeal, which must be made in writing, must be based on one or more of the grounds set out in Section 130 of the 1997 Act, and you should state the facts on which you propose to rely in support of











allowed.

(2) An appeal under this section shall be made either-

(a) by giving written notice of the appeal to the Secretary of State before the date specified in the enforcement notice as the date on which it is to take effect, or

(b) by sending such notice to him in a properly addressed and prepaid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date.

(3) A person who gives notice under subsection (2) shall submit to the Secretary of State, either when giving the notice or within the prescribed time, a statement in writing-

(a) specifying the grounds on which he is appealing against the enforcement notice, and

(b) giving such further information as may be prescribed.

Appeals: supplementary provisions.

**131.** - (1) The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under section 130 and, in particular, but without prejudice to the generality of the foregoing provisions of this subsection, in so prescribing may-







