



IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006).

BREACH OF CONDITION NOTICE

REFERENCE NUMBER: ED2015/0047/ENF

SERVED BY: East Dunbartonshire Council

**SERVED TO: Mr Ignatius Donato Tedesco Junior,
Tedesco Tiling & Terrazzo,
288 Kirkintilloch Road,
Bishopbriggs,
East Dunbartonshire.
G64 2PT**

- i. **THIS IS A FORMAL NOTICE** issued under the provision of section 145 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 (hereinafter referred to as the “the Act”) by East Dunbartonshire Council (hereinafter referred to as “the Council”) as Planning Authority because it is considered by the Council that a condition imposed on a grant of planning permission relating to the land described below has not been complied with. As the person responsible, the Council requires you to comply with the condition specified in this notice.
2. **THE LAND AFFECTED BY THIS NOTICE**
The site (hereinafter referred to as “the Site”) to which this Notice relates forms an area of land and premises at “Tedesco Tiling & Terrazzo”, 288 Kirkintilloch Road, Bishopbriggs, East Dunbartonshire, G64 2PT as shown edged in red on the Location Plan, attached and annexed to this Notice.
3. **THE RELEVANT PLANNING PERMISSION**
The relevant planning permission to which this Notice relates is the Full Planning Permission granted by East Dunbartonshire Council on 19 June 2013, for the material change of use from Car Showroom (Sui Generis) to Storage and Distribution (Class 6) with ancillary retail element at 288 Kirkintilloch Road, Bishopbriggs, East Dunbartonshire, G64 2PT under TP/ED/13/0301.

4. THE BREACH OF CONDITION

The following Condition attached to the relevant planning permission, has not been complied with;

- 1) **Condition 1.** which states "Prior to the commencement of works on site a revised car park layout as shown on plan PL4 shall be submitted for the written approval of the Planning Authority which incorporates the following:
 - i. The disabled bays shall be repositioned to the north western boundary.
 - ii. Bays 14 and 15 shall be removed to allow sufficient manoeuvring room for bays 9 to 13.
 - iii. The cycle parking shall be moved to a more visible location at the front of the property.

The car park shall be laid out as finally approved.

5. WHAT YOU ARE REQUIRED TO DO

As the person responsible for the breaches of condition specified in part 4, you are required to secure compliance with the stated condition by taking the following steps:-

1) **Condition 1.**

Submit for written approval a revised car park layout as shown on plan PL4 showing:

- i. The disabled bays relocated to the north western boundary of the site.
- ii. The removal of bays 14 and 15, and
- iii. The cycle parking relocated to the front of the building.

Time Period for Compliance: 28 days from the date this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect immediately it is served on you.

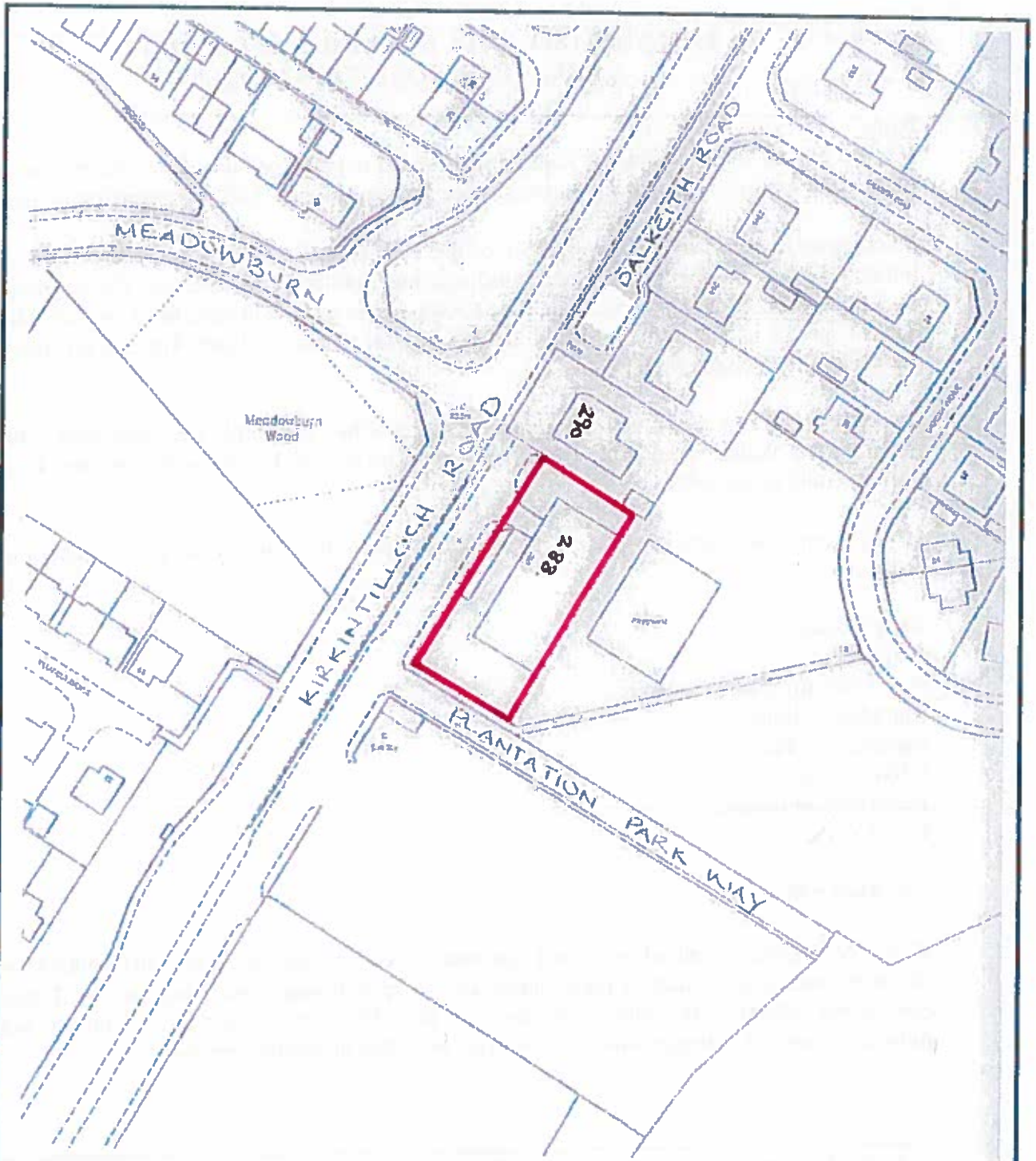
Dated: 22nd July 2015

Signed: 

Thomas Glen
Director of Development and Regeneration

On behalf of: **East Dunbartonshire Council**
Southbank House,
Strathkelvin Place,
Kirkintilloch,
East Dunbartonshire,
G66 1XQ.

LOCATION PLAN



This is the Location Plan referred to in the foregoing Breach of Condition Notice issued under the provision of section 145 of the Act.

Dated: 22nd July 2015

Signed: *Thomas Glen*

Thomas Glen, Director of Development and Regeneration, East Dunbartonshire Council, Southbank House, Strathkelvin Place, Kirkintilloch, East Dunbartonshire, G66 1XQ.

WARNING - THERE IS NO RIGHT OF APPEAL AGAINST THIS NOTICE

SCHEDULE 1

**EXPLANATORY NOTE FOR THOSE IN RECEIPT OF
A BREACH OF CONDITION NOTICE**

Note

It is an offence to contravene the requirements stated in part 5 of this notice after the end of the compliance period. The maximum penalty for such an offence, following conviction, is £1,000.

Alternatively, in terms of section 145A of the 1997 Act, the Council may serve a fixed penalty notice offering you the opportunity to discharge any liability for conviction. The payment required under the terms of such a notice would be £300 payable within 30 days from the day following the date of service of the notice (reduced to £225, if paid within 15 days). There is no right of appeal against a fixed penalty notice.

A fixed penalty notice can be served in respect of a failure to comply with each step required to be taken by the Notice, or each activity it requires to be ceased. Consequently, several fixed penalty notices could be issued.

If you are in any doubt what this Notice requires you to do, you should get in touch immediately with:

Max Wilson
Planner
East Dunbartonshire Council
Southbank House,
Strathkelvin Place,
Kirkintilloch,
East Dunbartonshire,
G66 1XQ

Tel: 0141 578 8637

If you need independent advice about this notice, you are advised to urgently contact a solicitor, planning consultant or another professional adviser specialising in planning matters. If you wish to contest the validity of the notice you may only do so by an application to the Court of Session for judicial review. A solicitor will advise you on what this procedure involves.

**DO NOT DELAY TAKING ACTION IN RESPONSE TO
THIS NOTICE**

Our Ref: **ED2015/0047/ENF**
Your Ref:
Date: 22 July 2015
If calling please ask for: **Max Wilson**

Mr Ignatius Donato Tedesco Junior,
Tedesco Tiling & Terrazzo,
288 Kirkintilloch Road,
Bishopbriggs,
East Dunbartonshire,
G64 2PT.

DEVELOPMENT & REGENERATION
Development Applications - Enforcement,
Southbank House,
Strathkelvin Place,
Kirkintilloch,
East Dunbartonshire.
G66 1XQ

Telephone: 0300 123 4510
Fax No: 0141 578 8575
Direct Line: 0141 578 8637
E-mail: max.wilson@eastdunbarton.gov.uk

Dear Sir,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997, AS AMENDED BY THE PLANNING ETC. (SCOTLAND) ACT 2006.

BREACH OF CONDITION NOTICE: MATERIAL CHANGE OF USE FROM CAR SHOWROOM (SUI GENERIS) TO STORAGE AND DISTRIBUTION (CLASS 6) WITH ANCILLARY RETAIL ELEMENT AT 288 KIRKINTILLOCH ROAD, BISHOPBRIGGS, EAST DUNBARTONSHIRE, G64 2PT.

I enclose for your attention a Breach of Condition Notice served in accordance with the provisions of section 145 of the Town and Country Planning (Scotland) Act 1997, as amended. The Notice relates to the failure to comply with Condition 1. attached to the Full Planning Permission granted by this Council as planning authority on 19 June 2013, for the material change of use from Car Showroom (Sui Generis) to Storage and Distribution (Class 6) with ancillary retail element at 288 Kirkintilloch Road, Bishopbriggs, East Dunbartonshire, G64 2PT under TP/ED/13/0301.

Should you wish to discuss this matter further please do not hesitate to contact me direct via any of the above methods.

Yours faithfully,

Max Wilson

Max Wilson
Planner

