



**IMPORTANT – THIS COMMUNICATION AFFECTS THIS PROPERTY AND HAS IMMEDIATE EFFECT. FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE NOTICE MAY RESULT IN PROSECUTION**

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

## **TEMPORARY STOP NOTICE**

**PLANNING PERMISSION REFERENCE NUMBER: TP/ED/13/0734**

**ISSUED BY: East Dunbartonshire Council**

**DATE AND TIME OF DISPLAY: 20<sup>th</sup> November 2014**

**WHEREAS:**

1. In respect of development on land at:  
Site at Lillyburn Works, Campsie Road, Lennoxton, as shown outlined in red on the attached location plan on Page 6.
2. East Dunbartonshire Council, being the planning authority for the land identified above and to which this notice relates, considers that:
  - (a) There has been a breach of planning control under section 123(1)(b) of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 at the land described above.
  - (b) That the said breach of planning control consists of the engagement in the activity which is described in **Schedule 1** to this Notice; and,
  - (c) That for the reasons set out in **Schedule 2** to this Notice it is expedient that the said activity is stopped with immediate effect.
3. **NOTICE IS HEREBY** given that as of the time and date recorded above, being the time and date of display of this Notice, East Dunbartonshire Council, in exercise of its powers in accordance with Section 144A of the Town and Country Planning (Scotland) Act 1997 as

amended by the Planning etc. (Scotland) Act 2006 now prohibit the carrying out of the activity/activities specified in **Schedule 1** to this notice with immediate effect.

4. **After this Notice has taken effect it is an offence under section 144C of the said Act for any person to either; carry out the specified activity/activities or to permit others to carry out the activity/activities identified in Schedule 1. Section 144C "Temporary stop notices: offences" is set out in Schedule 3 of this notice.**
  
5. **Unless it is otherwise withdrawn by East Dunbartonshire Council, this notice shall remain in effect until 8am on 18<sup>th</sup> December 2014.**

Time and Date of Issue: 1pm 20<sup>th</sup> November 2014

Signed:

  
Robert Steedman

Development Applications Manager

Diane Campbell

Director of Governance & Regulation

On behalf of: **East Dunbartonshire Council**

12 Strathkelvin Place,  
Kirkintilloch,  
East Dunbartonshire,  
G66 1TJ.

**If you require any further information in respect of this Notice please contact:**

**Mrs Jennifer Horn, Team Leader - Strategic Development & Regeneration**

**Telephone: 0141 578 8533**

## Schedule 1

The activity/activities to which this notice relates are:

- Site clearance
- Ground works
- Construction of dwellings

## Schedule 2

### East Dunbartonshire Council's reasons for issuing this notice

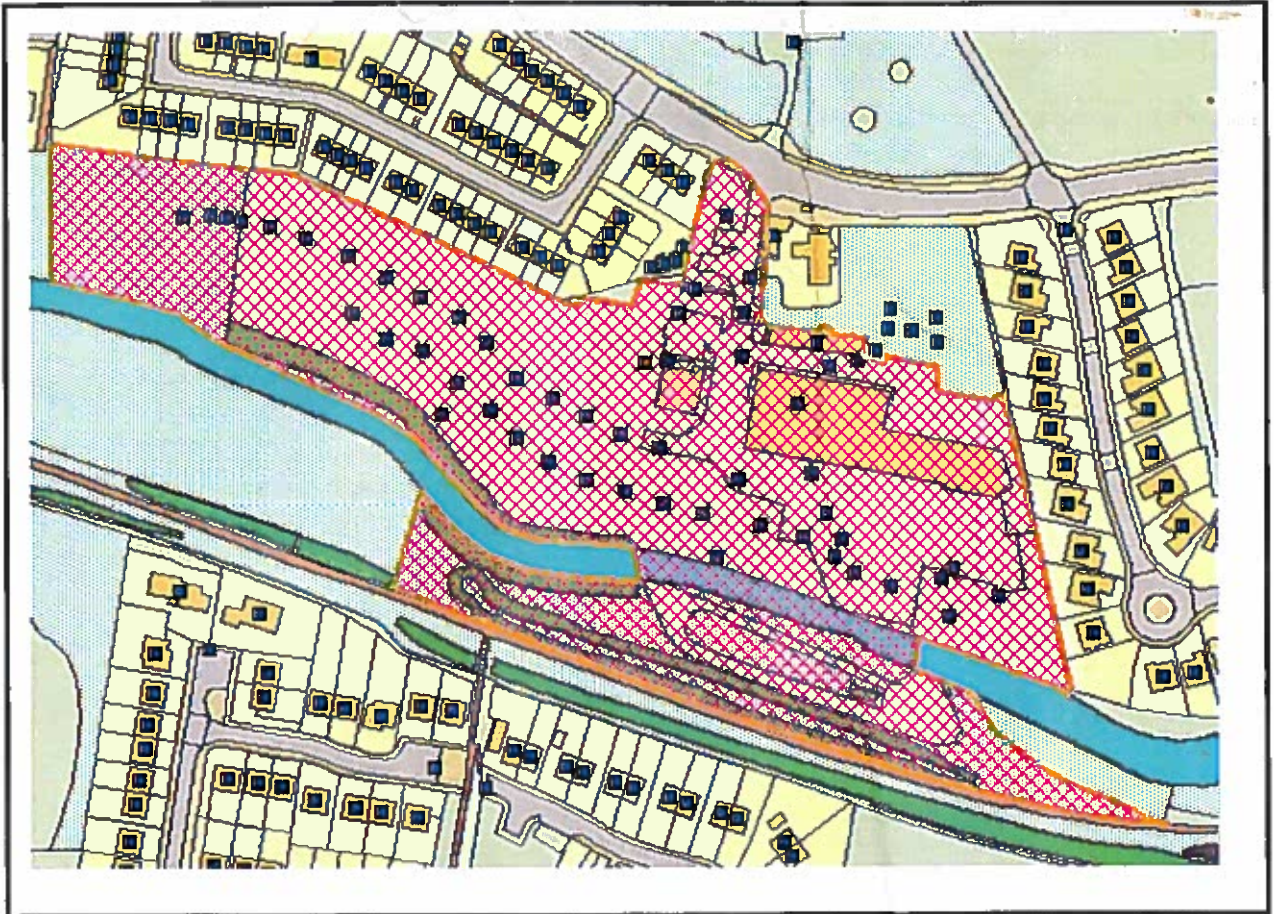
1. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 3 of planning permission TP/ED/13/0734 relating to the required Arboricultural Constraints Report, to ensure trees worthy of retention are satisfactorily protected during construction.
2. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 4 of planning permission TP/ED/13/0734 relating to the required protective measures to safeguard trees to ensure no damage is caused to the existing trees during construction.
3. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 5 of planning permission TP/ED/13/0734 relating to the finalised method statement for the removal of knotweed from the site to ensure the prevention of Japanese Knotweed spread.
4. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 9 of planning permission TP/ED/13/0734 relating to the submission of a scheme for the provision and implementation of a surface water regulation system to ensure reduced risk of flooding.
5. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 10 of planning permission TP/ED/13/0734 relating to the submission of details of the proposed foul and surface water drainage from the site to ensure reduced risk of flooding.
6. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 11 of planning permission TP/ED/13/0734 relating to the submission of details of the upgrade of the existing culvert to ensure reduced risk of flooding.
7. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 12 of planning permission TP/ED/13/0734 relating to the submission of a scheme to detail the creation of an appropriate overland flow route through the site to ensure reduced risk of flooding.
8. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 13 of planning permission TP/ED/13/0734 relating to the submission of a scheme to deal with contamination of the site to ensure contamination is dealt with an a remediation plan is agreed.
9. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 14 of planning permission TP/ED/13/0734 relating to the submission of a Construction Methodology Statement in the interests of protecting traffic and pedestrian safety.

### Schedule 3

#### 144C Temporary stop notices: offences

1. A person is guilty of an offence if he contravenes a temporary stop notice
  - (a) which has been served on him, or
  - (b) a copy of which has been displayed in pursuance of section 144A(4).
2. Contravention of a temporary stop notice includes causing or permitting the contravention of it.
3. An offence under this section may be charged by reference to a day or to a period longer than a day.
4. A person may, in relation to the same temporary stop notice, be convicted of more than one offence under this section by reference to different days or different periods.
5. It is a defence in any proceedings under this section that -
  - (a) the temporary stop notice was not served on the accused, and
  - (b) he did not know, and could not reasonably have been expected to know, of its existence.
6. A person convicted of an offence under this section is liable -
  - (a) on summary conviction, to a fine not exceeding £20,000,
  - (b) on conviction on indictment, to a fine.
7. In determining the amount of the fine, the court is in particular to have regard to any financial benefit which has accrued or appears likely to accrue to the convicted person in consequence of the activity which constituted the offence.

# LOCATION PLAN



This is the plan referred to in the foregoing **Temporary Stop Notice** in accordance with the terms of Section 144A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 relating to the land and premises as shown hatched in red at Lillyburn Works, Campsie Road, Lennoxtown

Dated: 20/11/14

Signed: Diane Campbell

Diane Campbell, Director of Governance & Regulation, East Dunbartonshire Council, 12 Strathkelvin