



**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: TP/ED/11/1007**

**Served By: EAST DUNBARTONSHIRE COUNCIL**

**Served To: ROBERTSON HOMES LIMITED  
10 PERIMETER ROAD  
PINEFIELD  
ELGIN  
MORAYSHIRE  
IV30 6AE**

1. **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 by East Dunbartonshire Council (hereafter 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 party responsible, the Council requires you to comply with the conditions specified in this notice.
  
2. **THE LAND AFFECTED BY THIS NOTICE**  
The site to which this Notice relates forms an area of land at 'Torrance marsh' to the south of "Maitland Drive", Torrance, East Dunbartonshire, G64 4HN as shown edged in red on the attached Location Plan (Page 3 of 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 11 February 2013, for the erection of nine dwellinghouses and associated site work at land to the south of Maitland Drive Torrance, East Dunbartonshire, G64 4HN under TP/ED/11/1007 (with conditions re-imposed in planning permission TP/ED/13/0553)



4. **THE BREACH OF CONDITION**

Condition 2 attached to planning permission TP/ED/11/1007 has not been complied with. This condition states:

“Prior to the commencement of works on site in respect of this planning permission, a landscaping scheme shall be agreed in writing with the Council as Planning Authority. In particular this shall include details of a planting scheme, including a hedgerow which shall be planted along the full length of the line coloured green on the approved site plan (drawing number: P029 / K7 rev. D). This hedgerow shall be made up of native species and shall be planted and maintained in such a way as to promote biodiversity. Thereafter the hedgerow shall be maintained in this condition for the lifetime of the development.”

5. **WHAT YOU ARE REQUIRED TO DO**

As the party responsible for the breaches of condition specified in paragraph 4, you are required to comply/secure compliance with the stated conditions by taking the following steps:-

1) **Condition 1.**

Implement the Landscaping Plan (see Appendix 1) as previously agreed with the Council as Planning Authority. In particular, the area of exposed earth immediately adjoining the south of the built development at the north of Torrance Marsh shall be made good as per the agreed landscaping scheme. In addition, the exposed pipework culverting the footway to the west of the marsh shall be appropriately covered and made good as per the landscaping plan (excepting the ends receiving and discharging water). The equipment and detritus associated with construction shall also be wholly removed from the site and marsh.

**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: 13/8/15

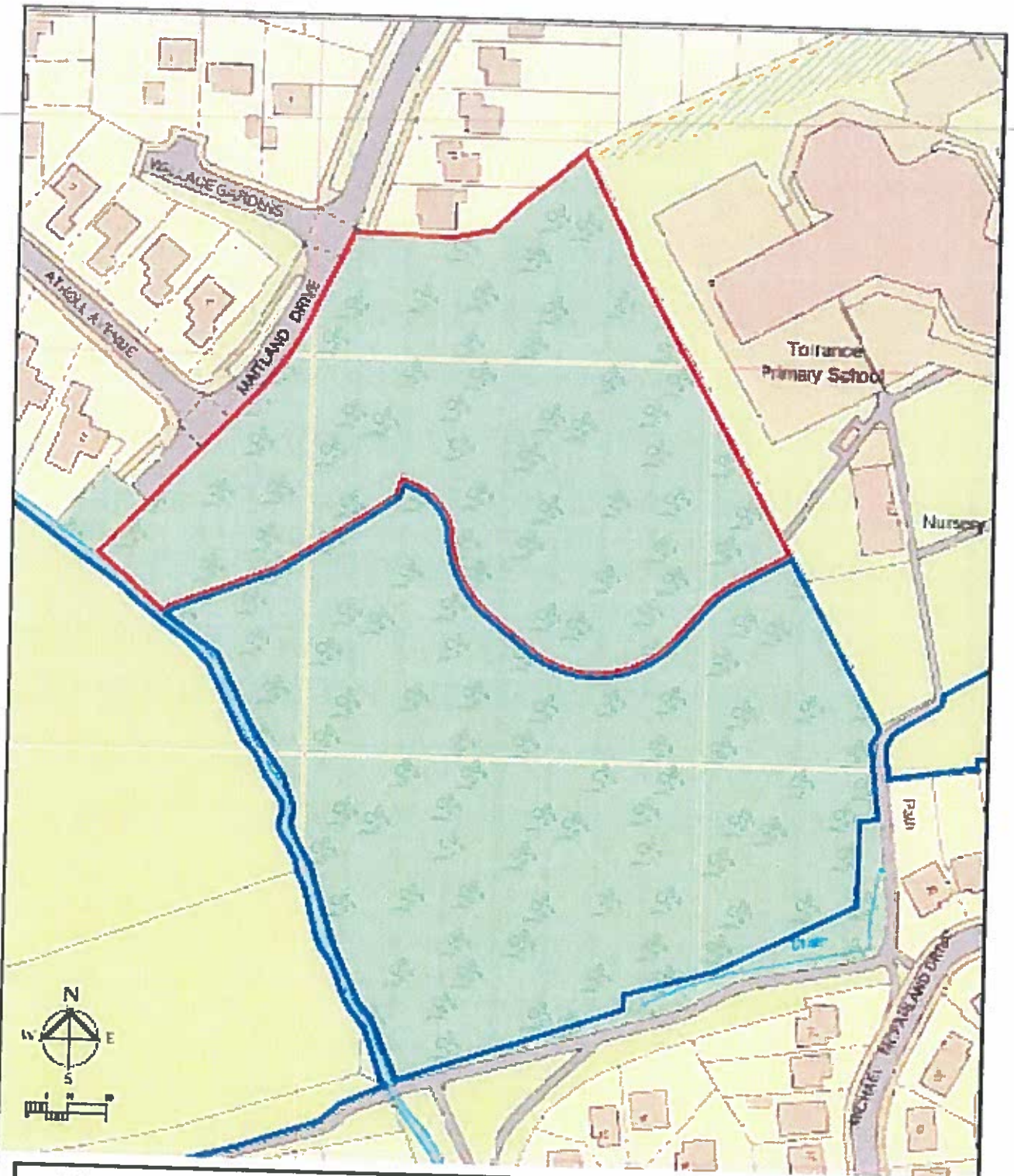
Signed: 

Thomas Glen  
Director of Development & Regeneration

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



# LOCATION PLAN



This is the plan referred to in the foregoing **Breach of Condition Notice** in accordance with the terms of Section 145 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 relating to the area of land at 'Torrance marsh' to the south of "Maitland Drive", Torrance, East Dunbartonshire, G64 4HN

Dated:

Signed:

Thomas Glen, Director of Development & Regeneration, East Dunbartonshire Council, Southbank House, Strathkelvin Place, Kirkintilloch, East Dunbartonshire G61 1XO.



**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 paragraph 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:

**Alex Laidler**  
**Planning Officer**  
East Dunbartonshire Council  
Governance & Regulation  
Broomhill Industrial Estate  
Kilsyth Road  
Kirkintilloch  
G66 1TF

Tel: 0141 578 8635

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**







