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**East Dunbartonshire Council**

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NOTICE GIVEN 9/5/14 @ 2.30  
HA & POS attendance.

**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**

**REFERENCE NUMBER: ED2014/0042/ENF**

**PLANNING PERMISSION REFERENCE NUMBER: TP/ED/11/0973 &  
TP/ED/12/0330**

**ISSUED BY: East Dunbartonshire Council**

**DATE AND TIME OF DISPLAY: 9<sup>TH</sup> May 2014 at 2.30pm**

### **WHEREAS:**

1. In respect of development on land to the north of no. 21 Cadder Road, Bishopbriggs as shown outlined and hatched in red on the attached location plan on Page 6 of this Notice.
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)(a)/(b) (*delete as appropriate*) 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 **Unless it is otherwise withdrawn by East Dunbartonshire Council, this notice shall remain in effect until 8am on 6<sup>th</sup> June 2014**

Time and Date of Issue: *9<sup>th</sup> May 2014 at 2.30 pm*

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:**

**Mr R Steedman – Development Applications Manager**  
**Telephone: 0141 578 8636**

## **Schedule 1**

The activities to which this notice relates are:

1. Site clearance and ground works

## Schedule 2

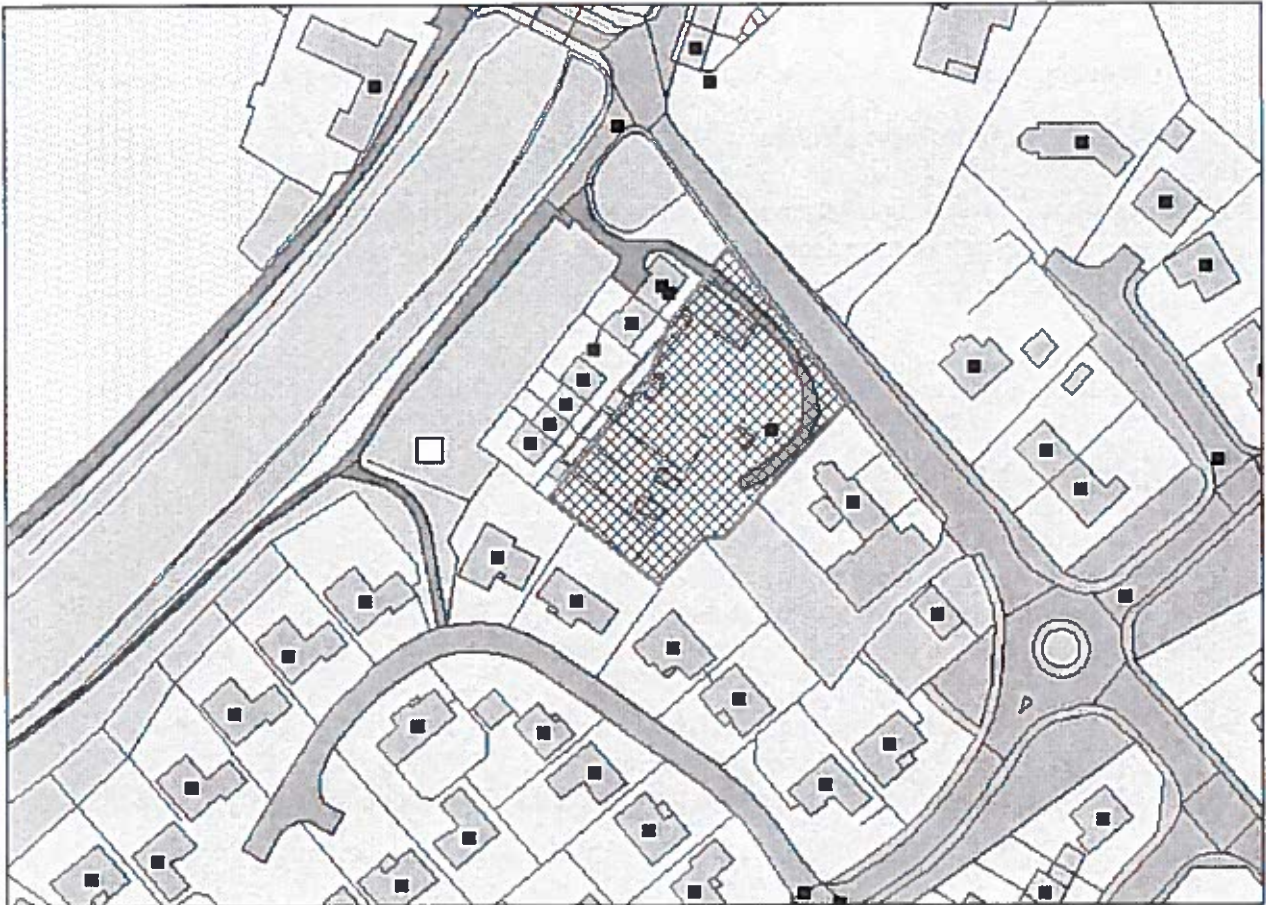
East Dunbartonshire Council's reasons for issuing this notice are

1. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 4 of planning permission TP/ED/11/0973 relating to the proposed drainage system, to ensure adequate drainage from the site.
2. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 5 of planning permission TP/ED/11/0973 relating to the identification of existing watercourses, to ensure adequate drainage from the site.
3. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 6 of planning permission TP/ED/11/0973 relating to the adequate drainage arrangements, to ensure adequate drainage from the site.
4. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 10 of planning permission TP/ED/11/0973 relating to the tree protection measures, to ensure that all trees within the development site are afforded protection during construction works.
5. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 11 of planning permission TP/ED/11/0973, relating to bat surveys, to ensure the protection of European Protected Species.
6. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 12 of planning permission TP/ED/11/0973, relating to samples of material, in the interests of amenity and to protect the historic status of the Conservation Area.
7. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 13 of planning permission TP/ED/11/0973, relating to details of screen fence, in the interests of safeguarding residential amenity.
8. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 14 of planning permission TP/ED/11/0973, in the interests of traffic and pedestrian safety.
9. The unauthorised works as outlined in 1 of **Schedule 1** is contrary to the requirements of Condition no. 4 of planning permission TP/ED/12/0330, seeking compliance with conditions of planning permission TP/ED/11/0973, to ensure a satisfactory form of development and that it progresses in accordance with already approved and required details, and that only one permission is implemented, the proposed house design and plot layout arrangements being considered as an acceptable alternative to that approved earlier and not an addition thereto.

### **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 edged and hatched in red at land to the north of no. 21 Cadder Road, Bishopbriggs.

Dated: 9/5/14

Signed: Diane Campbell

Diane Campbell, Director of Governance & Regulation, East Dunbartonshire Council, 12 Strathkelvin Place, Kirkintilloch, East Dunbartonshire, G66 1TJ.