



# Planning etc. (Scotland) Act 2006

## 2006 asp 17

### PART 3

#### DEVELOPMENT MANAGEMENT

##### *Applications for planning permission and certain consents*

#### **9 Development already carried out**

(1) After section 33 of the principal Act insert—

**“33A Notice requiring application for planning permission for development already carried out**

Where there is a breach of planning control the planning authority may issue a notice—

- (a) requiring the owner of the land in, on, over or under which the development has been carried out to make an application to them for planning permission for the development,
- (b) describing the development in a way that is sufficient to identify it,
- (c) specifying a date by which the application is to be made, and
- (d) setting out the terms of section 123(1).”.

(2) In section 123(2) of that Act (expressions used in connection with enforcement), at the end add “as does the issuing of a notice under section 33A”.

(3) In section 147(1) of that Act (register of enforcement, breach of condition and stop notices), for the words “and stop notices” substitute “, notices under section 33A, stop notices and temporary stop notices”.

(4) The title of section 147 becomes “**Enforcement etc.: register of notices**”.