

*These notes relate to the Planning etc. (Scotland) Act 2006
(asp 17) which received Royal Assent on 20 December 2006*

PLANNING ETC. (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 3 – Development Management

Section 9 – Development already carried out

76. This section inserts a **new section 33A** in the 1997 Act. This gives the planning authority the power to issue a notice requiring the owner of the land where planning permission has not been granted but development has already been carried out to make an application for planning permission. The existing section 33 of the 1997 Act only provides that planning permission for development already carried out may be granted. Issuing the notice constitutes enforcement action under section 123(2) of the 1997 Act.