

Your Ref: JM/RC

Our Ref: A/2 SR/MS

22 May 2015

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Dear Joan

SITE AT TOWNFOOT, LANGHOLM

I refer to your letter dated 10 April 2015 and apologise for the delay in responding whilst I gathered the background information on this site.

The site was granted planning permission for redevelopment in 2006, as you say, and the development was started but never completed. The planning permission was therefore secured and there is no statutory requirement for the development to be completed within any given timescale. I do accept that the condition of the site is an eyesore locally. The suggestion of serving a completion notice under S.61 of the Town and Country Planning (Scotland) Act 1997 is one that I have considered but is not without difficulty. The process requires us to give a minimum period of 12 months for the development to be completed, and also contains a right of appeal to Scottish Ministers which could create further delay. It is unlikely therefore that this would achieve anything in the short term, and might in fact create difficulties in regard to the sale of the site. If such a notice is not complied with it would effectively nullify the planning permission but would not achieve restoration of the site.

One alternative is that the Council could consider serving a notice under S.179 of the same Act requiring the owner to take steps to improve the appearance of the land. It also contains a right of appeal, but would contain shorter timescales within which the owner would be obliged to undertake improvements. It might be helpful, for example in the event of an appeal arising, for the concerned residents to write to me outlining their concerns about the state of the land and the sort of steps they would like to see taken to tidy it up. I will then arrange to have the site assessed and consider the potential terms, costs and benefits of a S.179 notice.

I trust this is of assistance.

Yours sincerely



Steve Rogers
Head of Planning and Regulatory Services