

## Notice to Owners *(Listed Building Consent / Conservation Area Consent)*

Article 6 of the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987

**Notification of submission of a listed building consent application or conservation area consent application is hereby served on you as the owner of all or part of the building to which the application relates, by the applicant.**

**Enclosed with this Notice is:**

- (a) **A copy of the front page of the application form** which informs you of the name of the applicant and the name and address of any agent, the development being applied for and the postal address of the site or description of the location of the proposed development; and
- (b) **A plan** showing the extent of the application site.

You may view the application form, plans, drawings and any related documents on paper providing they were submitted on paper at the area office processing the application between the hours of 9am to 5pm Monday to Friday (excluding national public holidays and the period between Christmas and New Year), excepting the Newton Stewart Office which is closed between 12pm and 1pm (Mondays) and 1pm and 2pm (Tuesday to Friday). Application details are also published online and made available to view on the Council website - [www.dumgal.gov.uk/planning](http://www.dumgal.gov.uk/planning). If any application has been submitted electronically online, there will be no paper copy to view. The planning authority have a screen at the front counters of all area offices, excluding Newton Stewart, if you do not have access to the Internet and staff can help you view plans in this way.

### Dumfries and Galloway Council Area Offices

#### Annandale and Eskdale

Council Offices, Dryfe Road, Lockerbie. DG11 2AS  
Tel: 01576 205046

#### Wigtown - Stranraer and The Rhins

Ashwood House, Sun Street, Stranraer. DG9 7JJ  
Tel: 01776 888417

#### Nithsdale

Kirkbank, English Street, Dumfries. DG1 2HS  
Tel: 01387 260199

#### Wigtown - Newton Stewart and The Machars

McMillan Hall, Dashwood Square, Newton Stewart. DG8 6EQ  
Tel: 01671 402442

#### Stewartry

4 Market Street, Castle Douglas. DG7 1BE  
Tel: 01556 505200

#### General Enquiries

Tel: 0303 333 3000

If the application, plans and supporting information can be inspected at an additional place of deposit in the locality, the inspection details are listed in the box below. (**Note:** This is encouraged where the site is remote from the appropriate area office. It is the responsibility of the applicant to deliver the plans to the nominated address).

Address:

Period for inspection (21 days) commencing:

Between the hours:

Signature of applicant\* / agent\*:

\* delete as appropriate

Date served:

Should you wish to make representations about the proposal, you can make them in writing to the Area Planning Manager, Planning Services at the appropriate area office within 21 days from the date of notification of the application or within 21 days of the date the application is registered valid or before the expiry date of any statutory advert, whichever date is the latter.

Further advice on what owners should do on receipt of this notice is provided overleaf.  
(If copying please copy both sides)

# Important Advice to Listed Building Owners

## Why have I received this notice?

This notice and the information attached to it has been served on you by, or on behalf of, the person making an application to the Council for listed building consent or conservation area consent. They are legally required to inform you of their proposals, because they want to alter or demolish the building of which you are an **owner**.

Please note that the grant of listed building consent or conservation area consent does not affect your rights to retain or dispose of your property unless there is some provision to the contrary, in an agreement or lease.

## What do I do now?

You will want to find out what is proposed and how it might affect you. To do this, it is advisable that you see the plans and documents. These will be available at the appropriate Local Area Office. It would be helpful to bring this notice with you.

You may receive this notice before the Council has received and registered valid the application or it may be deficient meaning it is not yet ready for you to inspect. It is therefore advisable to telephone the appropriate area office first as we do not want you to waste your time making an unnecessary journey. Please note, that the Newton Stewart Area Office is not permanently manned by planning staff.

If you wish assistance in understanding the proposals or find plans difficult to read, please do not hesitate to seek advice from planning staff. Please note, however, that it is your responsibility to satisfy yourself that the proposals are acceptable.

## How do I make representations?

If there is something about the proposed development to which you object or which causes you concern, you should make representations in writing to the Area Planning Manager, Planning Services, at the appropriate area office processing the application within **21 days** from the date of notification, or within **21 days** of the date the application is registered valid, if that date is later. Alternatively you may wish to intimate your support for proposals.

The representations should be signed and dated and should state clearly the planning grounds on which they are made. You should remember that a development proposal may involve more than one application for the same property, therefore letters of representation should be clear in respect of which application or applications they may concern. Wherever possible the application reference number should be quoted.

Late representations will **not** be entertained. These are representations received outwith the specified time period in relation to owner notification, statutory site notices and advertisements in the local newspapers.

Representations received electronically must include sufficient information to enable the identity of the person making comment to be verified.

## What can I comment on?

The Council can only consider representations made on valid planning grounds. These are called "material representations". It is not possible to list all the matters with which planning is legitimately concerned. Some matters are listed below:

- The Council's Structure Plan and Local Plan policies
- Scottish Planning Policy
- The Council's publication, Caring for the Built Environment
- Scottish Executive Policy Statement – Designing Places
- Appearance of listed building and its setting
- Character and appearance of conservation area
- Quality of design
- Mitigation measures

## Warning

You should note that the plans may be amended during consideration of an application, e.g. as a result of a change in intentions or in response to suggested amendments. Such changes could affect owners in various ways. Any re-notification of owners will be at discretion of the case officer. 'Material' changes will result in a new application.

## What happens next?

Any material representations received will be open to public view once the application is registered valid. This is because they form part of the background papers on which the decision is based, and the Freedom of Information (Scotland) Act 2002 introduces a general statutory rights of access to all types of 'recorded' information held by Scottish Planning Authorities, subject to certain exemptions such as protection of personal data, commercial confidentiality or national security.

Under new procedures, all timeous representations made on valid planning grounds will be given careful consideration, and a copy will be sent out to members of the Area Committee together with the Area Planning Manager's report on the application. Once the decision is made those who made material representations will be advised of the outcome.

If the application is approved there is no right of appeal open to any objectors.

Details of the Council's adopted Scheme of Delegation are available for inspection at the area offices.