



Enforcement Authorisation Report

Case No. 23/00012/ENFHS	
Address: Flat 2, 3 Shore Road, Port Bannatyne, Isle Of Bute, Argyll And Bute PA20 0LQ	
Description of BoC: Erection of Fencing and Garden Structure	
Report: An enforcement case was opened on the 26th of January 2023 which subsequently resulted in the serving of an enforcement notice on the 6th of March 2025 for the erection of a garden fence in excess of 1m in height within 20m of a road within the curtilage of a listed building and within a conservation area. The enforcement notice was served following the failure to either remove the unauthorised development following the refusal of the 24/00925/PP <i>Erection of replacement fence, garden pergola and 2 garden sheds (retrospective)</i> and the subsequent appeal to Local Review Body where the appeal was dismissed. The enforcement notice set out to address the breaches that were causing harm so the garden pergola and 2 sheds were therefore given deemed approval following the serving of the notice and the remaining breach was the fence. The remedy the breach the notice required the fence to be reduced to no more than 1m in height. The enforcement notice was appealed, and subsequently a site visit was undertaken by a DPEA reporter and a decision was issued on the 17th of July 2025 to uphold the notice, notwithstanding that the appeal did succeed in part for ground (g). Site visit photos from the 24th of September 2026 have confirmed that the notice has been complied with due to the fencing being lowered as per the instruction of the notice, and that as a result this can be closed.	
RECOMMENDATION	
Decision Route: Justification from Officer	
Recommendation: No Further Action	
Committee Date (if appropriate):	
Case Officer: Kirsty Sweeney	Date: 24.09.2026
Authorising Officer: Kirsty Sweeney	Date: 24.09.2026