



Scottish Council for National Parks

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#10

Consultation on Planning Enforcement Regulations
Planning Directorate
The Scottish Government
2H, Victoria Quay
Edinburgh
EH6 6QQ

8 February 2008

Dear Sir/Madam

**MODERNISING THE PLANNING SYSTEM: CONSULTATION ON
PLANNING ENFORCEMENT REGULATIONS 2007.**

Thank you for the above consultation. SCNP's response to the questions is as follows:

- Question 1.** We agree that penalties should be increased.
- Question 2.** Consideration should be given to the type and scale of development and the relative scale of the breach of conditions. Although the proposal is entry at the lowest point of a scale of fixed penalties, consideration should be given placement at an appropriate point on the scale reflecting the severity of any breach.
- Question 3.** As proposed the present scale of subsequent fixed penalties especially with the EN could run on for years with its effects on the planning authority and public awareness. Consideration should be given for the EN penalty to increase by 50% on the previous penalty, viz, £1000; £1500; £2250; etc thus reaching the top in 5 steps rather than 9. BCN could run in £100 increments.
- Question 4.** The proposed level of information requested is sufficient.
- Question 5.** Taking into account the period of time allowed from planning permission being granted until commencement of development on site, the proposed time limits are sufficient.
- Question 6.** The level of information proposed is sufficient.
- Question 7.** Generally, yes but consideration should also be given to placing advertisements in local newspapers as well.
- Question 8.** The regulations make adequate provision.
- Question 9.** The draft Regulations adequately cover the enforcement requirements.
- Question 10.** No.
- Question 11.** Experience over many years has shown that for many planning authorities, enforcement has been the 'Cinderella' part of the service with too few resources. This has contributed to slow action in an already protracted process. Those who through ignorance or a reluctance to accept the planning system, must be made aware that to ignore the need to obtain necessary approvals or abide by conditions properly imposed, will bring quick action and could incur severe penalties when appropriate.

Yours faithfully

Robert Maund