

CONSULTATION ON PLANNING ENFORCEMENT REGULATIONS.

The proposed changes to planning enforcement are welcomed. Any legislation which promotes enforcement of planning control from its traditional 'Cinderella' status can only improve public perception of the planning system as benefitting the community rather than the developer. At present the clear belief is that developers who contravene planning laws 'get away with it'.

The various measures proposed will allow planning authorities to act quickly and decisively against breaches and will send a clear message to developers that the punishment will now more closely fit the crime.

The proposed notices of intention to commence development and of completion will allow proper monitoring of compliance with the terms of planning consent.

COMMENTS ON SPECIFIC QUESTIONS

Q1 Wholeheartedly support the proposal that penalties should increase for continuing breaches.

Q2/Q3 The proposed level of penalties seems reasonable at this time as do the suggested increases in respect of subsequent breaches. These will presumably be reviewed over time?

Q10 The proposals in respect of Temporary Stop Notices seem reasonable. Again, these will no doubt be monitored and could be changed in the future?

A final point is that while the proposed regulations will allow positive action by planning authorities, it is important that procurators-fiscal are reminded that planning law is important and that when authorities seek prosecutions, these requests are taken seriously and not treated as minor or unimportant.

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