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Bullingham L (Liam)

From: Mhari Colquhoun [REDACTED]
Sent: 07 February 2008 10:45
To: Planning Enforcement Consultation
Subject: Comments by Dawn Homes Ltd

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Dear Sir / Madam,

Dawn only have one comment to make on the consultation paper on Planning Enforcement Regulations 2007 which relates to the serving of Temporary Stop Notices (TSN). Currently a TSN does not require to be served on individuals, and only has to be displayed on site. Paragraph 35 of the regulations highlights that it remains a defence that the individual was not aware of the notice, but then mentions that any such defence would be harder to prove, given that the notice is displayed on-site.

Whilst it is agreed that such a defence would indeed be harder to prove, it is not entirely unlikely that a TSN could be displayed at a point on site which may be considered to be most prominent at that time by the Planning Authority, but not considered so at that time by the individual. Or indeed the Planning Authority could display the TSN at a point on-site where the individual has completed working on for the time being, and is therefore unlikely to become aware of until much later on. We therefore consider it crucial that TSNs are in every instance served on the individual, and can see no reason as to why doing so would present a problem. Indeed any defence that the notice was not served would be far more difficult to prove if that were the case.

Please find attached the required completed Respondent Information Form and Equal Opportunities Questionnaire.

Kind Regards

Mhari Colquhoun MRTPI

**Land & Planning Assistant
Dawn Homes Limited
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