

# THE COCKBURN ASSOCIATION THE EDINBURGH CIVIC TRUST



Trunk's Close 55 High Street Edinburgh EH1 1SR (0131) 557 8686  
www.cockburnassociation.org.uk email: admin@cockburnassociation.org.uk

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

Monday, 18 February 2008

Dear Madam/Sir,

## **CONSULTATION RESPONSE: Draft Planning Enforcement Regulations 2007**

The Cockburn Association welcomes the opportunity to comment on the draft Planning Enforcement Regulations. The Cockburn Association is Edinburgh's Civic Trust, established in 1875. The Association has a longstanding interest in all issues to do with the planning process and Edinburgh's civic amenity. We wish to support the introduction of regulations that optimise the efficiency of the planning process while providing for an open consultation process and promoting improvements to Edinburgh's townscape and amenity.

### **Question 1**

*Do you support the proposal that penalties should be increased for continuing breaches and if not, why not?*

**The Cockburn Association supports increased penalties for continuing breaches.**

### **Question 2**

*Do you have any views on the proposed amounts for the fixed penalty, in particular the proposed initial amounts?*

**The fixed penalty for enforcement notices should be increased to the maximum allowed of £6000. The scale of payments proposed is acceptable for the occasional or small developer but should be increased for professional and large developers e.g. an initial £3000, and then increases in £1000 stages for subsequent offences up to a maximum of £6000. Similarly, there should be higher scales of breach of condition notices for professional developers e.g. initially £100 and then increases in £100 stages up to a maximum of £300.**

**Question 3**

*Do you have any views on the proposed increase in the amount of each subsequent fixed penalty, in particular with regard to the number of fixed penalty notices that would be required to reach the maximum and whether the fixed penalty should increase by a larger amount for each subsequent offence?*

**See response to question 2.**

**Question 4**

*Do you have any views on the proposed level of information requested in the notification of initiation of development (NID) or any suggestions for other information that might be useful, for example declaring that any suspensive conditions had been met?*

**We agree that suspensive conditions should be included.**

**Question 5**

*Are you content with the proposed time limits for recording relevant enforcement action?*

**Yes.**

**Question 6**

*Bearing in mind that the purpose of the notice is to make people aware of the development and direct them to the appropriate contacts for further information, are you content with the level of information to be included?*

**The typeface of existing notices is generally too small. Key information, such as the location and nature of development, the planning reference number, and contact details, must be easy to read.**

**Question 7**

*Are you content with the proposed categories of development for which notices would be required to be displayed, and if not, why not?*

**We are content with the proposed categories of development for which notices would be required to be displayed.**

**Question 8**

*Do you consider this sufficient, or would you like to suggest other criteria for the siting, display, size, etc, of these notices.*

**As for question 6, the typeface of existing notices is generally too small.**

**Question 9**

*Are you content with the proposed draft regulations and if not, why not?*

**Yes, we are content with the proposed draft regulations.**

**Question 10**

*Are there any other situations where you believe use of a Temporary Stop Notice should not be permitted?*

**No comment.**

**Question 11**

*Do you wish to comment generally on the draft Regulations, RIA, EqlA, or other issues in respect of this consultation?*

**No comment.**

We hope that you find these comments useful. If you require any further information, please do contact us.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. Tasker', followed by a period.

Moira Tasker  
Director