

• EDINBURGH •

THE CITY OF EDINBURGH COUNCIL
CITY DEVELOPMENT

PLANNING AND STRATEGY

Date: 26 February 2008

Richard Loudon
Edinburgh Conveyancers Forum
C/o Simpson & Marwick
Albany House
58 Albany Street
EDINBURGH
EH1 3QR

Your Ref:

Our Ref: AG/JL/046

Dear Mr Loudon

PROPERTY CONVEYANCING - RETROSPECTIVE WORKS TO LISTED BUILDINGS

I refer to our meeting on 20 November 2007 regarding the issue of retrospective works to listed buildings and the problems relating to property conveyancing.

Previously, the Council issued letters of comfort for retrospective works to a listed building. This service was stopped as it is not a statutory requirement and it was putting undue pressure on the Planning service. There is no intention of resuming this service.

To address this issue, the Council prepared a property transactions guidance note. This outlines the planning position in situations where the necessary planning consents are not in place. The property transactions guidance aims to outline the type of work that is not a concern to the Council and thereby provide a degree of comfort for those involved. In particular, it explains the criteria that will be used in determining whether or not to take enforcement action against unauthorised works to a listed building.

The property transactions guidance note can be found on the Council's website at http://www.edinburgh.gov.uk/internet/Environment/Planning_buildings_i_i/Planning/Planning_information/CEC_property_transactions or alternatively at www.edinburgh.gov.uk and search 'property transactions'.

There will be instances where the parties involved cannot agree or the works are not covered by the guidance note. As a last resort, these situations can only be resolved by submitting a formal application for listed building consent.

In\...

ANDREW HOLMES
DIRECTOR

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INVESTOR IN PEOPLE



In normal circumstances, the processing of a listed building consent can take up to 8-12 weeks. However, in cases where the works are relatively minor or were undertaken a significant number of years ago, the Council can determine that 'permission is not required'. These applications are processed in approximately 5-7 working days provided the correct information is provided. A listed building consent application will require floor plans showing the extent of the alterations alongside the completed application forms. Photographs are also important to help determine the application and speed up the process. No neighbour notification or fee is required.

The Council's Planning Portal should be used to submit any applications (http://www.edinburgh.gov.uk/internet/Environment/Planning_buildings_i_i/Planning/Planning_online/CEC_planning_and_building_control_portal). The use of the Portal helps to speed up the process further. The Council is happy to provide training to any architects/ agents on how to submit applications electronically.

It is recognised that there will always be a small percentage of properties that will be problematic but it is hoped that the above advice will cover the majority of retrospective listed building consent cases.

If you have any further queries, please telephone me on (0131) 529 3521 (Direct Dial).

Yours sincerely

A handwritten signature in black ink that reads "Anna Grant". The signature is written in a cursive style with a large, decorative flourish at the end of the name.

Anna Grant
Principal Planner
Listed Buildings