



# Planning etc. (Scotland) Act 2006

## 2006 asp 17

### PART 3

#### DEVELOPMENT MANAGEMENT

##### *Publicity for applications*

#### **10 Publicity for applications**

(1) For section 34 of the principal Act substitute—

##### **“34 Notice by planning authority of certain applications made to them**

(1) A planning authority are to give notice—

- (a) to such persons or categories of person,
- (b) in such manner,
- (c) for such period, and
- (d) on such number of occasions,

as may be prescribed in regulations or in a development order, of such applications mentioned in subsection (2) as are made to the authority.

(2) The applications are—

- (a) for planning permission,
- (b) for an approval required by a development order,
- (c) for a consent, agreement or approval required by a condition imposed on a grant of planning permission, and
- (d) for agreement under section 75A(2).

(3) The regulations or development order may—

- (a) make provision in relation to the applications generally or in relation to such of those applications as are of a class or classes prescribed in the regulations or order,
- (b) make different provision for different classes so prescribed.

(4) No such application is to be determined until after—

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*Status: This is the original version (as it was originally enacted).*

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- (a) the expiry of a period which is to be so prescribed,
    - (b) any requirement imposed by virtue of this section has been satisfied, and
    - (c) any sum recoverable from the applicant in respect of costs incurred by the planning authority in giving notice under subsection (1) has been paid to the authority.
  - (5) For the purposes of this section an applicant is to provide—
    - (a) to such person or persons,
    - (b) such information with respect to the application,as may be so prescribed.
  - (6) A planning authority are to provide the Scottish Ministers with such information relating to the exercise by the authority of functions under this section (whether in relation to applications generally or in relation to a particular application or class of application) as the Scottish Ministers may request from them.”
- (2) In section 38(1) of that Act (consultation in connection with determination of applications)—
- (a) for the words “to which section 34(1) applies” substitute “mentioned in section 34(2)”, and
  - (b) for the words “(1)(h)” substitute “(4)(a)”.