
SCOTTISH STATUTORY INSTRUMENTS

2010 No. 432

The Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010

PART 3

Appeals

Application of Town and Country Planning (Appeals) (Scotland) Regulations 2008

9.—(1) The Town and Country Planning (Appeals) (Scotland) Regulations 2008⁽¹⁾ apply to an appeal under section 75B of the Act as they apply to an appeal under section 47 of the Act with the modifications specified in paragraph (2).

(2) The modifications are—

(a) in regulation 2—

(i) in the definition of “appellant”, for “47, 130, 154, 169 or 180” substitute “75B”;

(ii) for the definition of “interested party” substitute—

““interested party” means, other than where such a person is the applicant—

(a) the owner of the land to which the planning obligation in respect of which the application is made relates; and

(b) any other person against whom the planning obligation is enforceable;”;

and

(iii) for the definition of “period allowed for determination of the application” substitute—

““period allowed for determination of the application” means the period specified in regulation 7(1) of the Town and Country (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010;”.

(b) in regulation 3—

(i) in paragraph (1) for “47” substitute “75B”;

(ii) in paragraph 2(a) for “47(1)” substitute “75B(1)(b); and

(iii) in paragraph 2(b) for “47(2)” substitute “75B(1)(a);

(c) in regulation 4(2) omit paragraphs (c) and (d); and

(d) in regulation 5—

(i) omit paragraph (2); and

(ii) in paragraph (3) for paragraphs (b) and (c) substitute—

“(b) describe the planning obligation and the relevant instrument within which it is contained;”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
