

2014 No. 301

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2014

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| <i>Made</i> | - - - - | <i>11th November 2014</i> |
| <i>Laid before the Scottish Parliament</i> | | <i>13th November 2014</i> |
| <i>Coming into force</i> | - - | <i>15th December 2014</i> |

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 252 of the Town and Country Planning (Scotland) Act 1997^(a) and all other powers enabling them to do so.

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2014 and come into force on 15th December 2014.

Amendment of the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004

2.—(1) The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004^(b) are amended in accordance with paragraph (2).

(2) In regulation 13 (fees for certain applications for the prior approval of the planning authority)—

(a) in paragraph (1) for “Where” substitute “Subject to paragraph (1A), where”; and

(b) after paragraph (1) insert—

“(1A) Paragraph (1) does not apply to an application made by virtue of—

(a) paragraph (4A) of Class 18 of Part 6 (agricultural buildings and operations) of Schedule 1 to the General Permitted Development Order^(c); or

(a) 1997 c.8. Section 252 was amended by section 31 of, and Schedule 1 to, the Planning etc. (Scotland) Act 2006 (asp 17) and by section 55 of the Regulatory Reform (Scotland) Act 2014 (asp 3).

(b) S.S.I. 2004/219 as amended by S.S.I. 2007/253, S.S.I. 2007/268, S.S.I. 2009/222, S.S.I. 2010/141, S.S.I. 2010/280, S.S.I. 2013/105 and S.S.I. 2014/214.

(c) S.I. 1992/223, paragraph (4A) of Class 18 and paragraph (4) of Class 22 are inserted into Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 by article 3 of the Town and Country Planning (General Permitted Development) (Scotland) Amendment (No. 2) Order 2014 (S.S.I. 2014/300).

(b) paragraph (4) of Class 22 of Part 7 (forestry buildings and operations) of that Schedule.”.

St Andrew's House,
Edinburgh
11th November 2014

DEREK MACKAY
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 13 of the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004. Regulation 13 makes provision for the payment of a fee to planning authorities in respect of applications made to the planning authority for determination as to whether the prior approval of the authority will be required. The Town and Country Planning (General Permitted Development) (Scotland) Amendment (No. 2) Order 2014 introduced requirements for such applications in respect of certain development specified in Class 18 and Class 22 in Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. The effect of these Regulations is that no fee is payable under regulation 13 for such new applications made by virtue of paragraph (4A) of Class 18 or paragraph (4) of Class 22.

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