
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 187

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Fees for Applications and Deemed Applications)
(Scotland) Amendment (No. 3) Regulations 2017

<i>Made</i>	- - - -	<i>31st May 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>2nd June 2017</i>
<i>Coming into force</i>	- -	<i>31st July 2017</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(1) 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. 3) Regulations 2017 and come into force on 31st July 2017.

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(2) are amended in accordance with this regulation.

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

- (a) in paragraph (1)(3), for “paragraph (1A)” substitute “paragraphs (1A) and (1B)”; and
- (b) after paragraph (1A)(4) insert—

(1) 1997 c.8. Section 252 was amended by section 31 and the schedule of the Planning etc. (Scotland) Act 2006 (asp 17) and section 55 of the Regulatory Reform (Scotland) Act 2014 (asp 3).
(2) 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, S.S.I. 2014/214, S.S.I. 2014/301, S.S.I. 2017/120 and S.S.I. 2017/149.
(3) Paragraph (1) was amended by S.S.I. 2014/214 and S.S.I. 2014/301.
(4) Paragraph (1A) was inserted by S.S.I. 2014/301.

“(1B) Where an application is made to a planning authority by virtue of subparagraph (23)(b) of class 67 of Part 20 (development by electronic communications code operators) of schedule 1 of the General Permitted Development Order a fee shall be paid to that authority of £300.”.

St Andrew’s House,
Edinburgh
31st May 2017

KEVIN STEWART
Authorised to sign by the Scottish Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004 (“the principal Regulations”) to increase certain planning fees.

Regulation 2 amends the principal Regulations to introduce a fee for applications under paragraph (23)(b) of class 67 of schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 for a determination as to whether the prior approval of the planning authority is required with regard to the siting and appearance of a ground based mast for supporting electronic communications apparatus.

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre⁽⁵⁾. Copies can be obtained free of charge from the Scottish Government Planning Directorate, Area 2H, Victoria Quay, Edinburgh, EH6 6QQ.

(5) The Assessment has been prepared for the purposes of these Regulations and the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2017.