



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART III

#### CONTROL OVER DEVELOPMENT

##### *Duration of planning permission*

#### **60 Provisions supplementary to sections 58 and 59.**

- (1) The authority referred to in section 58(1)(b) and 59(5) is—
  - (a) the planning authority or the Secretary of State, in the case of planning permission granted by them,
  - (b) in the case of planning permission deemed to be granted under section 57(1), the department on whose direction planning permission is deemed to be granted,
  - (c) in the case of planning permission deemed to be granted under section 57(2), the Secretary of State, and
  - (d) in the case of planning permission granted on an appeal determined under paragraph 1 or 5 of Schedule 4 by a person appointed by the Secretary of State to determine the appeal, that person.
- (2) For the purposes of section 59, a reserved matter shall be treated as finally approved—
  - (a) when an application for approval is granted, or
  - (b) in a case where the application is made to the planning authority and on an appeal to the Secretary of State against the authority's decision on the application the Secretary of State or a person mentioned in subsection (1)(d) grants the approval, when the appeal is determined.
- (3) Where a planning authority grant planning permission, the fact that any of the conditions of the permission are required by the provisions of section 58 or 59 to be imposed, or are deemed by those provisions to be imposed, shall not prevent the

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*Status: Point in time view as at 07/01/2003. This version of this provision has been superseded.*

**Changes to legislation:** Town and Country Planning (Scotland) Act 1997, Section 60 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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conditions being the subject of an appeal under section 47 against the decision of the authority.

- (4) In the case of planning permission (whether outline or other) which has conditions attached to it by or under section 58 or 59—
- (a) development carried out after the date by which the conditions require it to be carried out shall be treated as not authorised by the permission, and
  - (b) an application for approval of a reserved matter, if it is made after the date by which the conditions require it to be made, shall be treated as not made in accordance with the terms of the permission.

**Status:**

Point in time view as at 07/01/2003. This version of this provision has been superseded.

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