
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 219

The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004

Exceptions

7. Where all the conditions set out in regulation 8 and applicable, as the case may be, to paragraph (a) or (b), are satisfied, regulation 3 shall not apply to an application which is made by the same applicant for—

- (a) planning permission for development of the same character or description as development to which an earlier application relates and to no other development and following—
 - (i) the withdrawal, before notice of decision was issued of that earlier application for planning permission;
 - (ii) the granting of planning permission for the development;
 - (iii) the refusal of planning permission; or
 - (iv) the making of an appeal to the Scottish Ministers under section 47(2) of the 1997 Act (appeal in default of planning decision)⁽¹⁾ in relation to an application for planning permission; or
- (b) approval of one or more reserved matters following—
 - (i) the withdrawal before notice of decision was issued of an application for approval of the same reserved matters;
 - (ii) the granting of approval of the same reserved matters;
 - (iii) the refusal to approve the same reserved matters; or
 - (iv) the making of an appeal to the Scottish Ministers under section 47(2) of 1997 Act in relation to an application for approval of the same reserved matters, authorised by the same outline planning permission.

⁽¹⁾ Section 47 was modified by SSI1999/1, regulation 45.