
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 155

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

PART 4

Procedure by planning authority

Decision notice

28.—(1) The planning authority must as regards an application mentioned in paragraph (2) within the period mentioned in regulation 26(2)—

- (a) give to the applicant (or where an agent is acting for the applicant, that agent) notice (“a decision notice”) of their decision on the application; and
- (b) inform every authority, person or body who made written representations in respect of the application (and provided an address) of their decision on the application and where a copy of the decision notice is available for inspection.

(2) The applications are—

- (a) for planning permission; and
- (b) for an approval, consent or agreement required by a condition imposed on a grant of planning permission.

(3) A decision notice must, in addition to the matters required by section 43(1A)(a) of the Act (directions etc. as to method of dealing with applications)—

- (a) in the case of an application made under regulation 9, 10 or 11 include—
 - (i) a description of the proposed development (including identification of the plans and drawings showing the proposed development) for which planning permission has been granted, or as the case may be, refused;
 - (ii) a description of the location of the proposed development including, where applicable, a postal address;
 - (iii) the reference number of the application;
 - (iv) a description of any variation made to the application in accordance with section 32A of the Act (variation of application);
 - ^{F1}(v)
 - (vi) if any obligation is to be entered into under section 75 of the Act (planning obligations) in connection with the application a statement as to where the terms of such obligation or a summary of such terms may be inspected; and
- (b) in the case of an application under regulation 12 include—
 - (i) a description of the matter in respect of which approval, consent or agreement has been granted, or as the case may be, refused;
 - (ii) the reference number of the application; and

- (iii) the reference number of the application for the planning permission in respect of which the condition in question was imposed.
- (4) Where an application is refused or is granted subject to conditions the decision notice must—
 - (a) in a case where the application is determined by an appointed officer, be accompanied by—
 - (i) notification in terms of Form 1 set out in Schedule 6; and
 - (ii) a statement explaining how the applicant may obtain information on how to require a review of the case by the planning authority under section 43A(8) of the Act; or
 - (b) in other cases, be accompanied by—
 - (i) notification in terms of Form 2 set out in Schedule 6; and
 - (ii) a statement explaining how the applicant may obtain information on how to appeal to the Scottish Ministers under section 47 of the Act.
- (5) Where representations in respect of the application are made by three or more persons in the same document, it is sufficient for the purposes of paragraph (1)(b) that the planning authority notify—
 - (a) only the person who sent that document to the planning authority, where it is possible for the planning authority to identify that person; or
 - (b) where it is not possible to do so, only the first named person on the document for whom an address is provided.

Textual Amendments

- F1** [Reg. 28\(3\)\(a\)\(v\)](#) omitted (1.12.2022) by virtue of [The Town and Country Planning \(Miscellaneous Amendment\) \(Scotland\) Regulations 2022 \(S.S.I. 2022/286\)](#), regs. 1(1), **2(2)** (with reg. 4)

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Section 28.