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SCOTTISH STATUTORY INSTRUMENTS

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**2022 No. 50**

**The Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022**

**PART 3**

Applications where no fee is payable

**Restrictions on permitted development rights**

**8.**—(1) No fee is payable under regulation 3 where the planning authority to which an application is made is satisfied as to the matters specified in paragraph (2).

(2) The matters are that—

- (a) the application relates solely to development within one or more of the classes specified in schedule 1 of the General Permitted Development Order, and
- (b) the permission granted by article 3 of that Order does not apply in respect of that development by reason of—
  - (i) a direction made under article 4 of that Order which is in force on the date when the application is made, or
  - (ii) the requirements of a condition imposed on a permission granted under Part III of the 1997 Act otherwise than by that Order.

(3) The reference in paragraph (2)(a) to an application which relates to development which is within one or more of the classes specified in schedule 1 of the General Permitted Development Order includes an application for planning permission for the continuance of a use of land, or the retention of buildings or works, without compliance with a condition subject to which a previous planning permission has been granted, and which prohibits or limits the carrying out of any development which is within one or more of those classes.