

## SCHEDULES

### SCHEDULE 11

#### PLANNING : MINOR AND CONSEQUENTIAL AMENDMENTS

##### PART II

##### SCOTLAND

###### *Consideration of purchase notice concurrently with related planning appeal*

- 37 (1) In section 175(3) of the Town and Country Planning (Scotland) Act 1972 (relevant period at end of which purchase notice is deemed to have been confirmed) after "relevant period is" insert " , subject to subsection (3A) of this section, ", and after that subsection insert—

“(3A) The relevant period does not run if the Secretary of State has before him at the same time both a copy of the purchase notice transmitted to him under section 170(3) of this Act and an appeal notice under any of the following provisions of this Act relating to any of the land to which the purchase notice relates—

section 33 (appeal against refusal of planning permission, &c),  
section 85 (appeal against enforcement notice),  
section 91 (appeal against refusal of established use certificate),  
section 93 (appeal against listed building enforcement notice), or  
paragraph 7 or 8 of Schedule 10 (appeal against refusal of listed building consent, &c.).”.

- (2) In paragraph 3(3)(b) of Schedule 17 to the Town and Country Planning (Scotland) Act 1972 (relevant period at end of which listed building purchase notice is deemed to have been confirmed) after " " the relevant period " is " insert " , subject to sub-paragraph (3A) of this paragraph, ", and after that sub-paragraph insert—

“(3A) The relevant period does not run if the Secretary of State has before him at the same time both a copy of the listed building purchase notice transmitted to him under paragraph 1(3) of this Schedule and an appeal notice under any of the following provisions of this Act relating to any of the land to which the purchase notice relates—

section 93 (appeal against listed building enforcement notice), or  
paragraph 7 or 8 of Schedule 10 (appeal against refusal of listed building consent, &c.).”.