



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

33 Planning permission for development already carried out.

- (1) On an application made to a planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.
 - (2) Subsection (1) applies to development carried out—
 - (a) without planning permission,
 - (b) in accordance with planning permission granted for a limited period, or
 - (c) without complying with some condition subject to which planning permission was granted.
 - (3) Planning permission for such development may be granted so as to have effect from—
 - (a) the date on which the development was carried out, or
 - (b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.
- [^{F1}(4) But subsection (3) does not apply if, before the date of the application, an enforcement notice was issued in respect of the development.]

Textual Amendments

- F1** S. 33(4) added (3.8.2009) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), ss. **54(4)**, 59(2); S.S.I. 2009/219, art. 2, sch.

Status:

Point in time view as at 03/08/2009.

Changes to legislation:

Town and Country Planning (Scotland) Act 1997, Section 33 is up to date with all changes known to be in force on or before 14 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.