
STATUTORY INSTRUMENTS

1990 No. 563

The Town and Country Planning (Fees for Applications and Deemed Applications)(Scotland) Regulations 1990

Exceptions

8. The conditions referred to in regulation 7 are—
- (a) that the application is made within 12 months of the date—
 - (i) when the earlier application was made, in the case of a withdrawn application;
 - (ii) of the relevant grant of planning permission or grant of approval of details of reserved matters, as the case may be;
 - (iii) of the refusal; or
 - (iv) when under the relevant provisions of the General Development Order or of section 179(5) of the Local Government (Scotland) Act 1973, the period for the giving of notice of a decision on the earlier application expired, in the case of an application which is made following an appeal under section 34 of the 1972 Act;
 - (b) in the case of an application for planning permission which is not made in outline, that the planning permission which has been granted is not an outline planning permission or that the earlier application was also not made in outline;
 - (c) in the case of an application for planning permission, the application relates to the same site as that to which the earlier application related, or to part of that site, and to no other land except land included solely for the purpose of providing a different means of access to the site;
 - (d) in the case of an application for approval of reserved matters, the application relates to the same site as that to which the earlier application related, or to part of that site and to no other land;
 - (e) no application made by or on behalf of the same applicant in relation to the whole or any part of the site has already been exempted from regulation 3 by virtue of regulation 7 and this regulation; and
 - (f) the fee payable in respect of the earlier application was paid.