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STATUTORY INSTRUMENTS

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**1994 No. 3293**

**The Town and Country Planning (General Development Procedure) (Scotland) Amendment (No.2) Order 1994**

**Time periods for decision**

**4.** In article 14 of the 1992 Order—

(a) in paragraph (1) for “Without prejudice to sections 24(4) and 25(3) of the Act” substitute “Without prejudice to section 25(3) of the Act and subject to paragraphs (1A) and (1B)”;

(b) after paragraph (1) insert—

“(1A) Subject to paragraph (1B) where an application for planning permission is accompanied by a certificate under article 8(8) (other than a certificate in form 1 in Schedule 1), the application shall not be determined until the expiry of a period of 21 days beginning with the date appearing from the certificate to be the last date of service of any notice mentioned in the certificate, or the date of publication, or, as the case may be, posting of a notice as therein mentioned, whichever is the later.

(1B) Where a direction under article 8(5) is given, the application shall not be determined until the expiry of a period of 21 days beginning with the date when the certificate under article 8(6) was lodged with the planning authority.”;

(c) for paragraph (2) substitute—

“(2) Where a planning authority has received—

(a) a valid application under any of articles 3 to 6;

(b) an application for its determination that its approval is required as a condition of permission granted by the General Permitted Development Order and the planning authority has determined that its approval is required; or

(c) an application for any other consent, agreement or approval required by a condition attached to a grant of planning permission,

the period within which the authority shall give notice to an applicant of their decision or determination or referral of the application to the Secretary of State or regional planning authority shall be two months commencing on the date of receipt of the application, or (except where the applicant has already given notice of appeal to the Secretary of State) such extended period as may be agreed upon in writing between the applicant and the planning authority.”;

(d) in paragraph (3)(a) after “any certificates required by the Act” insert “or any details required under the General Permitted Development Order”.