
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 155

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

PART 5

Directions

Directions requiring consultation

30. The Scottish Ministers may by a direction given under this regulation require a planning authority to consult with such authorities, persons or bodies as are specified in the direction before granting or refusing an application for planning permission in any case or class of case specified in the direction.

Directions requiring information

31. The Scottish Ministers may by a direction given under this regulation require a planning authority to give to the Scottish Ministers and to such other persons as may be prescribed in the direction such information as may be so prescribed with respect to applications for planning permission made to the authority, including information as to the manner in which any such application has been dealt with.

Directions restricting the grant of planning permission

32. The Scottish Ministers may by a direction given under this regulation restrict the grant of planning permission by a planning authority, either indefinitely or during such period as may be specified in the direction, in respect of any development or any class of development, as may be so specified.

Directions requiring consideration of condition

33. The Scottish Ministers may by a direction given under this regulation require a planning authority, in respect of any such development, or in respect of development of any such class, as may be specified in the direction—

- (a) to consider, where the planning authority are minded to grant planning permission, imposing a condition specified in, or of a nature indicated in, the directions; and
- (b) (unless the direction is withdrawn) not to grant planning permission without first satisfying the Scottish Ministers that such consideration has been given and that such a condition either will be imposed or need not be imposed.

Provisions supplementary to regulations 30 to 33

34. A planning authority must give effect to any direction given under regulation 30, 31, 32 or 33.

Notice of reference of applications to the Scottish Ministers

35. On referring any application to the Scottish Ministers following a direction under section 46 of the Act (call-in of applications by Scottish Ministers), a planning authority are to serve on the applicant notice—

- (a) of the terms of the direction;
- (b) of any reasons given by the Scottish Ministers for requiring the application to be referred to them;
- (c) that the application has been referred to the Scottish Ministers; and
- (d) that the decision of the Scottish Ministers on the application will be final.