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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 432**

**TOWN AND COUNTRY PLANNING**

The Town and Country Planning (Development  
Management Procedure) (Scotland) Regulations 2008

*Made* - - - - - 22nd December  
2008  
*Laid before the Scottish  
Parliament* - - - 23rd December 2008  
*Coming into force in accordance with  
regulation 1(2) and (3)*

THE TOWN AND COUNTRY PLANNING (DEVELOPMENT  
MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008

PART 1

Introductory

1. Citation and commencement
2. Application
3. Interpretation

PART 2

Pre-application consultation

4. Pre-application consultation – classes of development
5. Content of pre-application screening notice
6. Content of proposal of application notice
7. Pre-application consultation

PART 3

Procedure on applications for planning permission

8. Applications for planning permission
9. Form and content of an application for planning permission
10. Application for planning permission in principle
11. Further applications
12. Application for approval of matters specified in conditions
13. Design and access statements

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14. Validation date
15. Notices to owners and agricultural tenants under section 35 of the Act

#### PART 4

##### Procedure by planning authority

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17. Acknowledgment of applications
18. Notification by the planning authority
19. Notification of minerals applications
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21. List of applications
22. Publication of list of applications
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28. Decision notice
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30. Directions as to environmental impact assessment Regulations
31. Directions requiring information or restricting the grant of planning permission
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34. Notice of reference of applications to the Scottish Ministers

#### PART 6

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35. Application to marine fish farming

#### PART 7

##### Cairngorms National Park

36. Cairngorms National Park

#### PART 8

##### Notification and display

37. Notification of initiation of development
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##### Certificates of lawful use or development

39. Application for certificate of lawful use or development
40. Documentation accompanying applications
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42. Revocations of certificate of lawful use or development

PART 10

General

43. Electronic communications  
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PART 11

Transitional provisions, revocations and savings

45. Transitional provisions  
46. Applications for approval of reserved matters made on or after 3rd August 2009  
47. Revocations and savings  
Signature

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SCHEDULE 1 Notices under regulation 15

SCHEDULE 2 Registers under sections 36(1) to (4)

1. **Register of applications for planning permission**
  2. Part I of the register is, in respect of every...
  3. Part II of the register of applications for planning permission...
  4. The information to be contained in the Report is–
  5. **Certificates of lawful use or development**
  6. **Provisions applicable to registers generally**
  7. Where the register kept by a planning authority under this...
    - SCHEDULE 3 Classes of development – regulations 20(1)(c) and 38(1)(b)
    - SCHEDULE 4 Notice for publication in newspaper
    - SCHEDULE 5 Consultation by the planning authority
  1. SEPA– (1) where the development is likely to result in...
  2. Scottish Natural Heritage where– (1) the development may affect an...
  3. The Health and Safety Executive where the development is within...
  4. Scottish Natural Heritage, the Health and Safety Executive and SEPA...
  5. The Scottish Ministers, in the case of–
  6. The community council, if any, within whose area the development...
  7. The Coal Authority where the development consists of–
  8. Any adjoining planning authority, where the development is likely to...
  9. Network Rail Infrastructure Limited or any other railway undertakers likely...
  10. The roads authority concerned, where the development involves–
  11. The Theatres Trust where the development involves any land on...
  12. Scottish Water where the development is likely to require a...
  13. A district salmon fishery board where the development consists of...
  14. The Scottish Ministers and the Secretary of State where marine...
- Interpretation of Schedule 5
- SCHEDULE 6 Notice to accompany refusal etc.  
Form 1  
Form 2
  - SCHEDULE 7 Form of notice to be displayed while development in progress
  - SCHEDULE 8 Certificate of lawful use or development

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Explanatory Note