
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 434

**The Town and Country Planning
(Appeals) (Scotland) Regulations 2008**

PART 4

Appeals under sections 130(2), 169(1) and 180(2) of the Act

Intimation of appeal to planning authority and planning authority's response

14.—(1) The appellant must at the same time as giving the notice of appeal to the Scottish Ministers send to the planning authority a copy of—

- (a) the notice of appeal;
- (b) the statement of appeal; and
- (c) all documents, materials and evidence which the appellant intends to rely on in the appeal and which accompanied the notice of appeal in accordance with regulation 13(3).

(2) The planning authority must, not later than 21 days beginning with the date of receipt of notification of an appeal under paragraph (1), send to the Scottish Ministers and the appellant—

- (a) a statement (“the planning authority’s response”) incorporating a response to each ground of appeal and stating what matters the planning authority consider require determination and by what procedure (or combination of procedures) mentioned in regulation 8(4) the planning authority wish the appeal to be conducted; and
- (b) copies of documents which were before the planning authority and which were taken into account in reaching its decision to issue the notice which is the subject of the appeal.

(3) The appellant may, within 14 days beginning with the date of receipt of the planning authority’s response send to the Scottish Ministers and the planning authority comments on any matters raised in the planning authority’s response.

(4) The planning authority are until such time as the appeal is determined to make copies of—

- (a) the notice of appeal;
- (b) the statement of appeal;
- (c) the planning authority’s response and any comments made under paragraph (3); and
- (d) documents which accompanied the statement of appeal or which were sent with the planning authority’s response,

available for inspection at an office of the planning authority and to afford any interested party who so requests an opportunity to inspect and, where practicable, to take copies of any such documents (or any part thereof).