
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 155

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

PART 4

Procedure by planning authority

Publication of application by the planning authority

20.—(1) Subject to paragraphs (3) to [F1(6) and regulation 20A], in the circumstances specified in paragraph (2) the planning authority must publish a notice in the form set out in Schedule 4 in a newspaper circulating in the locality in which the neighbouring land is situated.

(2) The circumstances are—

- (a) it is not possible for the planning authority to carry out notification in terms of regulation 18 because there are no premises situated on the neighbouring land to which the notification can be sent;
- (b) the applicant has submitted with an application for planning permission under regulations 9, 10 or 11 a certificate issued under regulation 15(2)(b)(iii);
- (c) the application is made under regulation 9, 10 or 11 and relates to development of one or more of the classes of development specified in Schedule 3, or
- (d) the application is made under regulation 9, 10 or 11 and relates to development which does not accord with the provisions of the development plan;

[F2(e) the application is made under regulation 9, 10 or 11 and relates to development falling within paragraphs 3, 3A or 4 of Schedule 5.]

(3) Paragraph (2)(a) does not apply where—

- (a) all the neighbouring land referred to in that paragraph is owned by the planning authority or by the applicant; or
- (b) the application relates to householder development.

(4) The planning authority are not required to publish a notice in accordance with paragraph (1) where a notice is required to be published by the planning authority in accordance with section 60(2)(a) (publicity for applications affecting setting of listed buildings) or 65(2)(a) (publicity for applications affecting conservation areas) of the Listed Buildings Act.

(5) Where any of paragraphs (2)(a) to (d) apply but notice has already been published with respect to the application under paragraph (1) the planning authority are not required to publish a further notice.

[F3(6) Where any of paragraph (2)(a) to (d) apply the planning authority need not publish a notice if they must publish a notice by virtue of paragraph (2)(e).

(7) Where paragraph (2)(e) applies paragraph (4) does not apply.]

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Section 20. (See end of Document for details)

- F1** Words in reg. 20(1) substituted (1.6.2015) by The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (S.S.I. 2015/181), reg. 1, **sch. 8 para. 3(2)(a)**
- F2** Reg. 20(2)(e) inserted (1.6.2015) by The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (S.S.I. 2015/181), reg. 1, **sch. 8 para. 3(2)(b)**
- F3** Reg. 20(6)(7) inserted (1.6.2015) by The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015 (S.S.I. 2015/181), reg. 1, **sch. 8 para. 3(2)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Section 20.