

SCHEDULE 2

Regulation 16

Registers under section 36(1)

Register of applications for planning permission

1. The register of applications for planning permission which every planning authority are required to keep under section 36(1) of the Act⁽¹⁾ (registers of applications) is to be kept in two parts.

2. Part I of the register is, in respect of every application made under regulations 9 to 12 and not finally disposed of, to contain—

- (a) a description of the development to which the application relates;
- (b) the name of the applicant and the address at which the applicant or, where an agent is acting on behalf of the applicant, the name of that agent and the address at which such agent may be contacted;
- (c) the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of such land;
- (d) copies of—
 - (i) plans and drawings;
 - (ii) any design statement or design and access statement; and
 - (iii) any pre-application consultation report, submitted in respect of the application; and
- (e) particulars of any direction given under the Act or these Regulations in respect of the application;

3. Part II of the register of applications for planning permission is to contain—

- (a) in respect of all applications made under regulations 9 to 12 determined by the planning authority (other than following a review of the case by virtue of section 43A(8) of the Act)—
 - (i) a copy of the decision notice; and
 - (ii) copies of any plans considered by the planning authority in determining the application;
- (b) a copy of any environmental statement submitted with respect to the application;
- (c) in respect of all applications made under regulations 9 to 11 determined by the planning authority (other than following a review of the case by virtue of section 43A(8)) of the Act, a Report containing the information mentioned in paragraph 4 of this Schedule;
- (d) a copy of the decision of the Scottish Ministers in respect of an application, on appeal under section 47 of the Act or on a reference under section 46 of the Act;
- (e) a copy of the decision notice of the planning authority as to the manner in which a review of the case under section 43A of the Act has been dealt with and copies of any plans considered by the planning authority in determining the review; and
- (f) where an application is deemed to be refused under regulation 9(4) of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011⁽²⁾ a statement to that effect including the date on which the application is deemed to be refused.

4. The information to be contained in the Report is—

(1) 1997 c.8.
(2) S.S.I. 2011/139.

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- (a) a statement of the number of representations made in respect of the application and a summary of the main issues raised by such representations;
- (b) details of the authorities and persons consulted by the planning authority in respect of the application and a summary of the responses made by such authorities or persons;
- (c) where in respect of the proposed development—
 - (i) an environmental statement was submitted;
 - (ii) an appropriate assessment under the Conservation (Natural Habitats &c.) Regulations 1994⁽³⁾ was carried out;
 - (iii) a design statement or a design and access statement was submitted; or
 - (iv) any report on the impact or potential impact of the proposed development (for example the retail impact, transport impact, noise impact or risk of flooding) which was submitted in connection with the application,a summary of the main issues raised by such statement, assessment or report;
- (d) a summary of the terms of any planning obligation entered into under section 75 of the Act in relation to the grant of planning permission for the proposed development;
- (e) where a direction has been made by the Scottish Ministers under regulation 30, 31, 32 or 33, or under regulation 5(11) or 45 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011⁽⁴⁾, details of such direction in respect of that decision; and
- (f) details of the provisions of the development plan and any other material considerations (in addition to any to be included in the Report under above paragraphs) to which the planning authority had regard in determining the application.

Certificates of lawful use or development

5. The register kept by the planning authority must also contain the following information in respect of every application for a certificate under section 150 or 151 of the Act submitted to the authority—

- (a) the name and address of the applicant;
- (b) the date of the application;
- (c) the address or location of the land to which the application relates;
- (d) the description of the use, operations or other matter included in the application;
- (e) the decision (if any) of the planning authority in respect of the application and the date of such decision; and
- (f) the reference number, date and effect of any decision of the Scottish Ministers on an appeal in respect of the application.

Provisions applicable to registers generally

6.—(1) Every register must include an index, which must be in the form of a map.

(2) The register for their district is to be kept at the office of the planning authority.

7. Where the register kept by a planning authority under this Schedule is kept using electronic storage, the authority may make the register available for inspection by the public on a website maintained by the authority for that purpose.

(3) S.I. 1994/2716.

(4) S.S.I. 2011/139.

Document Generated: 2023-08-01

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