
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 156

**The Town and Country Planning
(Appeals) (Scotland) Regulations 2013**

PART 8

Called-in applications and applications for urgent Crown development

Called-in applications

24.—(1) Parts 1, 3, 9 and 10, the Hearing Session Rules and the Inquiry Session Rules apply to an application referred to the Scottish Ministers following a direction under section 46(1) of the Act (call-in of applications by Scottish Ministers) or section 11(1) of the Listed Buildings Act (reference of certain applications to Scottish Ministers) with the modifications specified in paragraph (2).

(2) The modifications are—

- (a) references (other than in Part 1) to the appeal and the appellant are to be treated, respectively, as references to the application and the applicant;
- (b) references to the appointed person—
 - (i) in Parts 3 and 9 (other than in regulation 30), rule 1(1) of the Hearing Session Rules and rule 1(1) of the Inquiry Session Rules are to be treated as references to the Scottish Ministers; and
 - (ii) in regulation 30, the Hearing Session Rules (other than in rule 1(1)) and the Inquiry Session Rules (other than in rule 1(1)) are to be treated as references to the person appointed to hold the hearing session or inquiry session, as the case may be; and
- (c) in regulation 7 and 9(5), “considers”; in regulation 8(1) and 9(1), “does”; in regulation 9(3), “determines”; in regulation 10(2) and (4) and 12(3) and (4), “is”; in regulation 11(1), “has”; in regulation 11(1)(b), “wishes”; in regulation 12(2) and (3), “intends”; in regulation 13(1), “proposes” and in regulation 29(2) “notifies or consults”, are respectively to be read as “consider”, “do”, “determine”, “are”, “have”, “wish”, “intend”, “propose” and “notify or consult”; and
- (d) where the direction requiring the application to be referred to the Scottish Ministers is given—
 - (i) under section 46(1) of the Act (other than in relation to an application made under section 75A(2) of the Act), regulation 29 applies as in the case of an appeal under section 47 of the Act;
 - (ii) under section 46(1) of the Act in relation to an application made under section 75A(2) of the Act, regulation 29 applies as in the case of an appeal under section 75B of the Act; or
 - (iii) under section 11 of the Listed Buildings Act, regulation 29 applies as in the case of an appeal under section 18 of the Listed Buildings Act.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Applications for urgent Crown development

25. Parts 1, 3 and 9 (other than regulation 29), the Hearing Session Rules and the Inquiry Session Rules apply to an application for planning permission made to the Scottish Ministers by virtue of section 242A of the Act (urgent Crown development) with the modifications specified in regulation 24(2)(a) to (c).