
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 156

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

PART 9

General

Compliance with notification and consultation procedures

29.—(1) The appointed person must, to the extent not already done so by the planning authority—

- (a) in the case of an appeal under section 47 of the Act (other than an appeal under that section as applied by regulation 21 of the 1984 Regulations), comply with—
 - (i) regulation 18 (notification by the planning authority);
 - (ii) regulation 19 (notification of minerals applications);
 - (iii) regulation 20 (publication by the planning authority); and
 - (iv) regulation 25 (consultation by the planning authority),of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013⁽¹⁾ before determining the appeal or the application, as the case may be;
- (b) in the case of an appeal under section 18 of the Listed Buildings Act, comply with regulation 5(1) (advertisement of applications) of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987⁽²⁾ before determining the appeal;
- (c) in the case of an appeal under section 75B of the Act, comply with regulation 5 (notification of application) of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010⁽³⁾ before determining the appeal;
- (d) in the case of an appeal under section 75F of the Act, comply with regulation 5 (notification of application) of the Town and Country Planning (Modification and Discharge of Good Neighbour Agreement) (Scotland) Regulations 2010⁽⁴⁾ before determining the appeal; and
- (e) in the case of an appeal under section 47 of the Act as applied by regulation 21 of the 1984 Regulations, comply with regulation 16 (duty to consult with respect to an application) of the 1984 Regulations before determining the appeal.

(2) Subject to regulation 8(3), where the appointed person notifies or consults with any person in accordance with paragraph (1) references in these Regulations (other than regulation 5) to an interested party includes any such person from whom the appointed person received representations (which are not subsequently withdrawn) in connection with the appeal.

(1) S.S.I. 2013/155.
(2) S.I. 1987/1529.
(3) S.S.I. 2010/432.
(4) S.S.I. 2010/433.

Status: This is the original version (as it was originally made).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