
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 243

The Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015

Claims for compensation

17.—(1) This regulation applies to a claim for compensation made to a planning authority under

- (a) section 25 of the Act (compensation where listed building consent is revoked or modified);
- (b) section 25 of the Act as applied to buildings in conservation areas by section 66(3) of the Act;
- (c) section 26 of the Act (compensation for loss or damage caused by service of a building preservation notice); and
- (d) section 41D(1) of the Act (compensation for loss or damage due to a stop notice); and
- (e) section 41D of the Act as applied by 41I(2) of the Act (temporary stop notices: compensation).

(2) A claim to which this regulation applies must be made in writing and must be made within the period of 6 months from—

- (a) in the case of a claim under section 25 of the Act, the date on which the listed building consent or the conservation area consent, as the case may be, is revoked or modified;
- (b) in the case of a claim under section 26 of the Act, the date on which the building preservation notice ceases to have effect;
- (c) in the case of a claim under section 41D of the Act, the date on which the stop notice ceases to have effect; and
- (d) in the case of a claim under section 41D of the Act as applied by section 41I of the Act, arising—
 - (i) in the circumstances set out in section 41I(2)(a) of the Act, the date on which the temporary stop notice is first displayed; or
 - (ii) in the circumstances set out in section 41I(2)(b) of the Act, the date on which the temporary stop notice is withdrawn.

(1) Section 41D was inserted by section 23(1) of the Historic Environment (Amendment) (Scotland) Act 2011 ([asp 3](#)) (“the 2011 Act”).

(2) Section 41I was inserted by section 23(1) of the 2011 Act.