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SCOTTISH STATUTORY INSTRUMENTS

2017 No. 149

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2017

Made - - - - 10th May 2017

Laid before the Scottish Parliament 10th May 2017

Coming into force in accordance with regulation 1

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 252 of the Town and Country Planning (Scotland) Act 1997^(a) and all other powers enabling them to do so.

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2017.

(2) Subject to paragraph (3), these Regulations come into force on 31st May 2017.

(3) Regulation 2 comes into force on 1st June 2017.

Amendment of the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004

2.—(1) The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004^(b) are amended in accordance with paragraph (2).

(2) In the schedule (fees in respect of applications and deemed applications for planning permission or for approval, consent or agreement required by a condition imposed on a grant of planning permission in principle), in paragraph 14^(c), for “shall be” to the end substitute—

“shall be—

- (a) where the site area does not exceed 2.5 hectares, £401 for each 0.1 hectare;
- (b) where the site area exceeds 2.5 hectares, £10,028 plus £100 for each 0.1 hectare in excess of 2.5 hectares, subject to a maximum in total of £62,500.”.

^(a) 1997 c.8. Section 252 was amended by section 31 and the schedule of the Planning etc. (Scotland) Act 2006 (asp 17) and section 55 of the Regulatory Reform (Scotland) Act 2014 (asp 3).

^(b) S.S.I. 2004/219 as amended by S.S.I. 2007/253, S.S.I. 2007/268, S.S.I. 2009/222, S.S.I. 2010/141, S.S.I. 2010/280, S.S.I. 2013/105, S.S.I. 2014/214, S.S.I. 2014/301 and S.S.I. 2017/120.

^(c) Paragraph 14 was amended by S.S.I. 2009/222 and S.S.I. 2014/214.

Amendment of the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2017

3.—(1) The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2017^(a) are amended in accordance with paragraph (2).

(2) In the table in the schedule (table scale of fees)—

(a) in category 2, in paragraph (b)(iv) of the entry in column 2—

(i) for “exceeds 3,750 square metres,” substitute “to be created by the development exceeds 3,750 square metres, £20,050 plus”; and

(ii) after “thereof” insert “in excess of 3,750 square metres”; and

(b) in category 8, in paragraph (b) of the entry in column 2, for “£30,240” substitute “£30,476”.

KEVIN STEWART

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
10th May 2017

^(a) S.S.I. 2017/120.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004 (“the principal Regulations”) and the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2017 (“the amending Regulations”).

Regulation 2 amends paragraph 14 of the schedule of the principal Regulations to increase the fee for an application for planning permission in principle which relates to development which is within more than one of the categories of fee payable in the table scale of fees.

Regulation 3 corrects defects in the schedule of the amending Regulations in the fees for development within category 2 and category 8 in the new table scale of fees inserted into the principal Regulations by the amending Regulations.

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