

Status: Point in time view as at 31/05/2017. This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 3) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCOTTISH STATUTORY INSTRUMENTS

2017 No. 187

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 3) Regulations 2017

<i>Made</i>	- - - -	<i>31st May 2017</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>2nd June 2017</i>
<i>Coming into force</i>	- -	<i>31st July 2017</i>

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(1) and all other powers enabling them to do so.

PROSPECTIVE

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 3) Regulations 2017 and come into force on 31st July 2017.

Commencement Information

II Reg. 1 in force at 31.7.2017, see [reg. 1](#)

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(2) are amended in accordance with this regulation.

- (1) 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](#)).
- (2) 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, S.S.I. 2017/120 and S.S.I. 2017/149.

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(2) In regulation 13 (fees for certain applications for the prior approval of the planning authority)

- (a) in paragraph (1)(3), for “paragraph (1A)” substitute “paragraphs (1A) and (1B)”; and
(b) after paragraph (1A)(4) insert—

“(1B) Where an application is made to a planning authority by virtue of sub-paragraph (23)(b) of class 67 of Part 20 (development by electronic communications code operators) of schedule 1 of the General Permitted Development Order a fee shall be paid to that authority of £300.”.

Commencement Information

I2 Reg. 2 in force at 31.7.2017, see [reg. 1](#)

St Andrew’s House,
Edinburgh
31st May 2017

KEVIN STEWART
Authorised to sign by the Scottish Ministers

(3) Paragraph (1) was amended by [S.S.I. 2014/214](#) and [S.S.I. 2014/301](#).

(4) Paragraph (1A) was inserted by [S.S.I. 2014/301](#).

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PROSPECTIVE

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”) to increase certain planning fees.

Regulation 2 amends the principal Regulations to introduce a fee for applications under paragraph (23)(b) of class 67 of schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 for a determination as to whether the prior approval of the planning authority is required with regard to the siting and appearance of a ground based mast for supporting electronic communications apparatus.

A Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre⁽⁵⁾. Copies can be obtained free of charge from the Scottish Government Planning Directorate, Area 2H, Victoria Quay, Edinburgh, EH6 6QQ.

(5) The Assessment has been prepared for the purposes of these Regulations and the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2017.

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