

PLANNING (SCOTLAND) ACT 2019

EXPLANATORY NOTES

OVERVIEW OF THE ACT

PART 4 – OTHER MATTERS

Notice by planning authority of applications for listed building consent

Section 52: Notice by planning authority of applications for listed building consent

252. Section 52 amends section 9 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Section 9 deals with the making of applications for listed building consent, and subsection (3) enables regulations to make provision about how such applications are to be made, the manner in which they are to be advertised and how they are to be dealt with by planning authorities. The current regulations are the Planning (Listed Building Consent and Conservation Area Consent Procedure) (Scotland) Regulations 2015 ([SSI 243/2015](#)) and the advertisement of applications is dealt with in regulation 8. For planning applications, section 34 of the 1997 Act makes provision for regulations setting out how and to whom notice of applications is to be given, and the current requirements are set out in regulations 18 and 20 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 ([SSI 155/2013](#)).
253. Section 52(2) inserts new paragraphs into section 9(3) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. These provide more detail about how the regulations may address the issue of giving notice and information about the application, and are in line with the powers relating to planning applications. This would allow Ministers, if they wish, to impose the same notification requirements on applications under both Acts.