

# FINAL BUSINESS AND REGULATORY IMPACT ASSESSMENT 1

## **Title of Proposal**

Amending permitted development rights for the complete demolition of buildings within the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 as amended.

## **1. Purpose and intended effect**

### **Background**

- 1.1 In July 2011, the Scottish Government issued the Town and Country Planning (Demolition which is not Development)(Scotland) Revocation Direction 2011. This direction revoked the Town and Country Planning (Demolition which is not Development)(Scotland) Direction 2001 and follows the ruling from the Court of Justice of the European Union in the case of Commission v Ireland (C-50/09), that concluded that demolition of certain buildings is capable of constituting a project for the purpose of the EIA Directive.
- 1.2 The revocation of the 2001 Direction had the effect that the complete demolition of any building will be development for the purposes of the Town and Country Planning (Scotland) Act 1997 and will be subject to the relevant planning and Environmental Impact Assessment requirements.
- 1.3 Developers intending to demolish any building (which does not include demolishing part of a building) have permitted development rights (PDR) under class 70 of the 1992 Order provided they comply with the limitations and conditions attached and the requirement to screen for EIA, where applicable. These conditions may require the developer to apply to the planning authority for a determination as to whether prior approval of the demolition is required, with related requirements for neighbour notification.
- 1.4 The purpose of these amendments to class 70 of the 1992 Order is to reduce the regulatory burden. These amendments will remove the requirement for the developer to apply to the planning authority for a determination as to whether prior approval of the demolition of non-domestic building is required.

### **Objective**

- 1.5 This statutory instrument amends the demolition provisions within the 1992 Order. The purpose of these amendments is to reduce the burden on planning authorities and developers whilst still meeting the EU requirements. It amends the 1992 Order such that only the complete demolition of dwellinghouses and demolition of buildings that fall within the scope of EIA regulations are dealt with by the planning system.

### **Rationale for Government intervention**

- 1.6 A properly functioning planning system is essential to achieving the Scottish Government's central purpose of increasing sustainable economic growth. These amendments aim to change the operation of the system to enable planning authorities to focus resources towards that purpose and to support the Scottish Government's strategic objectives.

## 2. Consultation

### Within Government

2.1 On 2 September 2011, the proposed amendments were discussed at the Development Management Sub-Committee of the Heads of Planning Scotland, who represent senior planning officials in planning authorities in Scotland. They welcomed the proposed amendments. They did however comment that the amendments could go further. Some expressed that we should remove the requirement to neighbour notify whilst others felt we should also remove the requirement for the developer to apply to the planning authority for a determination as to whether prior approval of the demolition of non-domestic building is required.

### Business

2.2 The proposed amendments have been discussed with the following businesses

- demolition companies: George Beattie & Sons, Kilsythe; Central Demolition, Bonnybridge and Nicolson, Glasgow
- architects : CM Design, Elgin and Thomas Munro & Co, Inverness
- planning consultants: MBM Planning & Development, Perth and GVA, Glasgow

### Public

2.3 No public consultation was undertaken as this would have significantly delayed amending the legislation. Which would have meant that anyone wanting to completely demolish any building would have to apply to the planning authority for prior approval.

## 3. Options

3.1 Given the requirement from the court ruling for intervention and that class 70 requires updating to reflect the modernised planning system, taking no action is not an option. Two options were considered:-

**1: Make minimum changes-** This approach would update the 1992 Order to ensure that neighbour notification procedures for this class mirrored those introduced by the modernised planning system in 2009. This approach would miss the opportunity to reduce the regulatory burden introduced by the revocation of the Town and Country Planning (Demolition which is not Development)(Scotland) Direction 2001.

**2: Remove regulatory burden-** This approach would exclude the complete demolition of non-domestic building as types of development that would require the developer to apply to the planning authority for a determination as to whether prior approval is required.

### Sectors and Groups affected

3.2 Anyone wanting to completely demolish any building will require to apply to the planning authority for prior approval.

### Costs

3.3 Since the demolition of non-domestic buildings have not been previously regulated, it is not possible to calculate the costs associated with either option. Option 1 would however introduce a delay and financial costs for

developers and planning authorities in processing applications and neighbour notifications.

- 3.4 Option 2 will reduce delays and financial costs for the demolition of non-domestic buildings. However, it is not possible to calculate these costs.

#### **Benefits**

- 3.5 Option 1 would simplify procedures in that all demolition would require an application to the planning authority as to whether prior approval of the demolition of a building is required.
- 3.6 The benefits of option 2 will be that we will be ensuring that the planning system is proportionate.

#### **4. Scottish Firms Impact Test**

- 4.1 The proposed changes will enable developers, once they have screened for EIA, to proceed to demolition and clear the site in preparation for future development. This will be a more streamlined and proportionate approach than that currently in force in England.
- 4.2 The demolition companies indicated that in majority of cases it was for their clients to obtain the relevant consents and warrants. One company indicated that any amendment to remove or reduce regulatory burden is welcomed. They also indicated that this approach could be extended to cover dwellinghouses. The architects indicated that in most instances they would include the demolition of an existing building within the planning permission for the proposed development. One architect indicated that he always felt that a planning application would always be required for the demolition of a building. A common statement from all those contacted was that they welcomed the removal of any regulatory burden. Whilst a planning consultant highlighted that by defining demolition as development, there was now a requirement for developers to consider the requirements of the EIA regulations, especially for larger developments. They also indicated that in most cases developers seek clear guidance on the procedures as well as certainty on speed of decision making.

#### **Competition Assessment**

- 4.3 The proposed amendments are to remove burden. They will apply equally to all wishing to completely demolish buildings.

#### **Test run of business forms**

- 4.4 There are no new business forms.

#### **5. Legal Aid Impact Test**

- 5.1 Legal Aid team do not anticipate that there would be additional costs to the legal aid fund.

#### **6. Enforcement, sanctions and monitoring**

- 6.1 It is for prospective developers to ascertain whether an application for planning permission is required and to ensure that an application is submitted where necessary. Undertaking development without appropriate permission generally constitutes a breach of planning control and may result in enforcement action under planning legislation.
- 6.2 Circular 10/2009 Planning Enforcement, provides advice about the powers to

enforce planning control given to planning authorities by sections 123 to 158 of the Town and Country Planning (Scotland) Act 1997 including the new sections introduced in the Planning etc. (Scotland) Act 2006.

- 6.3 Planning authorities have a wide choice of available options for taking enforcement action, whenever they consider it appropriate. Authorities assess, in each case, which powers (or mix of powers) are best suited to dealing with any particular suspected or actual breach to achieve a satisfactory, lasting and cost-effective remedy. These include a notice requiring an application for planning permission for development already carried out, stop notices, temporary stop notices and fixed penalty notices.
- 6.4 Planning authorities are required to maintain a register recording information regarding any: enforcement notices, breach of condition notices, stop notices, temporary stop notices, and notices under section 33A (notice requiring retrospective planning application), that they issue. The exact information to be recorded varies slightly according to the type of notice. Detailed information on the information required is set out in The Town and Country Planning (Enforcement of Control) (No.2) (Scotland) Regulations 1992, as amended by The Town and Country Planning (Miscellaneous Amendments) (Scotland) Regulations 2009. Every register kept by a planning authority is to be kept available for inspection by the public at all reasonable hours.

## **7. Implementation and delivery plan**

- 7.1 It is anticipated that the amendments will be laid before the Scottish Parliament in October 2011 with it coming into force on 21 November 2011.
- 7.2 The Scottish Government will work with stakeholders to develop a Circular to accompany the Order.

### **Post-Implementation Review**

- 7.3 The Scottish Government will continue to monitor the implementation of the amendments. Reaction to how the changes have worked in practice and any particular areas of concern or uncertainty are likely to become apparent through representations made by planning authorities and business.

## **8. Summary and recommendation**

- 8.1 Option 2- removing regulatory burden is being taken forward as this ensures that the planning system continues support the Scottish Government's central purpose of increasing sustainable economic growth.

### Summary costs and benefits table

Option	Benefits	Costs
1	Simple to implement as all demolition will require an application to the planning authority as to whether prior approval of the demolition of building is required.	All developers, however small, will have to submit an application to the planning authority and potentially pay a fee.  Increased delay and financial costs for developers and planning authorities in processing applications  Uncertainty about the outcome of application.
2	Time and financial savings for the developer not requiring to apply to the planning authority as to whether prior approval of the demolition of non-domestic building is required.	Some developments will still require to apply to the planning authority as to whether prior approval of the demolition is required.

### 10. Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

I am satisfied that business impact has been assessed with the support of businesses in Scotland.

**Signed:**

**Date:**

**Aileen Campbell**  
**Minister for Local Government and Planning**

**Scottish Government Contact point:**

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# FINAL BUSINESS AND REGULATORY IMPACT ASSESSMENT 2

## **Title of Proposal**

Amending the principal householder permitted development Classes of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992.

## **1. Purpose and intended effect**

### **Background**

1.1 The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, (the GPDO) currently grants Scotland-wide planning permission for a range of specified developments, set out in a series of development 'Classes', subject to certain limitations set out in those classes. As a result, this removes the need to apply for planning permission from the planning authority where proposals can comply with the requirements of the GPDO. The developments covered by the GPDO range from minor householder developments to development at industrial sites and airports. This nationwide planning permission for certain developments is often referred to as Permitted Development Rights (PDR).

1.2 The amendments simplify the rules and contain fewer conditions and limitations for domestic developments. The main amendments can be summarised as:-

- Creating more Classes of development for which planning applications is not needed. This will mean it is easier to apply development proposals to the appropriate Class and for the limitations set out in each Class to be more relevant. In particular, creating a Class for a single storey extension should mean many "rear" single storey extensions would become permitted development.
- Expanding the use of the term "principal elevation" to define the front and rear of a house, in order to relax restrictions on development in rear gardens.
- Allowing alterations and improvements to houses (other than extensions) if within a 1 metre "bubble" of the walls or roof of a house. This removes the current complex provisions for satellite dishes and some domestic microgeneration equipment (such as solar panels).
- Introducing a new site coverage criterion and ensuring that the development does not exceed the footprint of the original house. This replaces the current floorspace limits and 30% ground coverage criterion. This will mean that there must be at least the same area of garden remaining undeveloped as developed. This would, in some cases, allow a visual assessment rather than having to calculate precise areas in every case.
- New definition for calculating the height of a building and external dimensions. This would allow greater protection from the impact

of development for neighbours on sloping ground and the more practical use of external dimensions.

- Stricter controls for development within conservation areas and within the curtilage of listed buildings.

### **Objectives**

- Enable householders to carry out more development to their home without having to apply for planning permission
- Reduce the number of applications for planning permission for minor householder development
- Enable planning authorities to devote more of their resources to more significant issues such as development planning and processing applications for major developments.

### **Rationale for Government intervention**

- 1.3 A properly functioning planning system is essential to achieving the Scottish Government's central purpose of increasing sustainable economic growth. These amendments aim to change the operation of the system to enable planning authorities to focus resources towards that purpose and to support the Scottish Government's strategic objectives.
- 1.4 Householder developments comprise approximately 40% of the 40,000 planning applications determined each year in Scotland. Around 97% of householder planning applications are approved, and whilst a proportion are subject to negotiation and amendments, the majority are approved as submitted.
- 1.5 The current provisions are often viewed as being based on, somewhat, arbitrary allowances and do not cover some common developments, eg. decking, which results in misunderstandings. In addition, the current difficulty in interpreting the rules takes up householders' and planning officers' time, as well as giving rise to avoidable enforcement action to remedy householder developments which have been carried out but do not comply with the legislation.
- 1.6 The revisions deliver a more permissive regime than currently exists and remove the need to submit a planning application for many householder developments. It will reduce the considerable amount of time and resource required by applicants and planning authorities in submitting and determining applications and will also allow development work to commence at an earlier date. This will reduce the costs in dealing with householder developments and ensure local authority planning officers can focus their efforts on more strategic planning tasks with a wider public benefit.

## **2. Consultation**

### **Within Government**

- 2.1 In light of the 2009 consultation<sup>1</sup>, the Scottish Government worked with Heads of Planning Scotland (the umbrella body of local authority

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<sup>1</sup> <http://www.scotland.gov.uk/Publications/2009/12/14143832/0> & <http://www.scotland.gov.uk/Publications/2008/12/02145212/0>

planning managers) and planning authorities to develop a revised set of rules. A three week pilot was carried out, in January 2010, on a test Order with City of Edinburgh Council, Stirling Council, Fife Council and the Dingwall office of Highland Council. In developing the test Order we worked with colleagues in Climate Change, Environmental Quality Division regarding the potential flooding impacts as well as colleagues in Building Standards.

- 2.2 In light of the results of the pilot, an independently facilitated workshop was held in May with representatives from planning authorities and Building Standards to develop a further draft, which was then consulted on between 1 October 2010 and 14 January 2011<sup>2</sup>.

### **Public Consultation**

- 2.3 The principle of increasing permitted development rights for minor development was highlighted as part of a hierarchy of development in the White Paper “Modernising the Planning System” in June 2005. A review of the 1992 Order was then carried out in 2006 for the Scottish Executive. *Review of the General Permitted Development Order 1992: Householder Development*<sup>3</sup> detailed the findings from this research, which included consultation with practitioners of the planning system. The research concluded that it would be possible to amend the legislation to reduce the number of householder planning applications. Similar conclusions have been reached in comparable research in England and Northern Ireland, and have been implemented.
- 2.4 The results of this research formed the basis of the public consultation<sup>4</sup> between December 2008 and March 2009. It received a mixed response, subsequently the Scottish Government worked with stakeholders to address the concerns raised and a further consultation was carried out between October 2010 and January 2011. Most respondents were supportive of the proposals and felt that it was workable with minor alterations. In particular respondents welcomed the new structure and approach, the introduction of new classes (for decking and porches) and tighter controls in conservation areas. Planning authorities indicated that the regulations would reduce applications by between 5% and 40%, this variation is due to the type of applications received by authorities in different parts of the country as well as the housing stock. However, in the short to medium term, this saving may be counterbalanced to an extent by increases in queries and potentially enforcement activity.
- 2.5 A concern raised by some respondents related to the visual / amenity impact (especially the cumulative impact of additions to terraces and flats) of the proposed Order. Whilst others highlighted the potential of increasing urbanisation, the lack of restrictions for other designated areas (such as World Heritage Sites, National

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<sup>2</sup> <http://www.scotland.gov.uk/Publications/2010/10/13084130/0>

<sup>3</sup> <http://www.scotland.gov.uk/Publications/2006/10/09103423/0>

<sup>4</sup> Householder Permitted Development Rights: Consultation Paper  
<http://www.scotland.gov.uk/Publications/2008/12/02145212/0>

Parks and archaeological sites) as well as concerns regarding the interpretation of the terms principal elevation and site coverage.

- 2.6 In response to the consultation, the final Order has been restructured and other changes made:
- developments within conservation areas have been further limited
  - a new class has been created to enable small access ramps to be built under permitted development
  - new restrictions have been introduced to a number of Classes to ensure that extensions are no larger than the footprint of the house.

### **Business**

- 2.7 During the January 2010 pilot, invitations were sent to a range of architects and planning consultants in the Edinburgh area to attend an afternoon workshop to discuss the pilot Order. Delegates from ARJ Architects, Barton Willmore Partnership Planning Consultants, Charles Tibbles Planning, Duco Architects, EMA Architecture & Design Architectural Services, Format Building Design, Graham Angus, Kenneth Reid Architects and Les McCaskey Architectural Design Services attended.
- 2.8 Attendees highlighted the complexity of the test Order, and indicated that as a result they would seek Certificates of Lawful Use or Development to provide comfort to their clients.
- 2.9 As part of the consultation which closed in January 2011, workshops were held with a range of organisations including the following umbrella organisations: Federation of Master Builders Scotland, Royal Incorporation of Architects in Scotland (RIAS), Scottish Property Federation and the Confederation of Aerial Industries.
- 2.10 Meetings were held with the following builders AW Gordon Ltd, Scotplans Ltd, Excellence Homes Ltd. A workshop for a range of architects, planning agents and designers was held in Elgin and the following businesses attended this meeting: Architectural Drafting Service, Ashley Bartlam Partnership, CM Design, David Smith Chartered Architects, Grant and Geoghegan, JWS Design, LDN Architects, PlanPlus and Wittest Ltd.

### **3. Options**

- 3.1 **Option 1: Do nothing.** Not changing the current provisions for householder development, therefore the current rules governing householder development would continue to apply.
- 3.2 **Option 2: Simplify and extend householder permitted development.** A fundamental revision of the current rules for householder development to replace current permitted development. The Order attempts to strike a balance between simplicity, amenity and efficiency. The Order increases the amount of work that can be done without having to apply for planning permission. The Order will not allow everything to proceed; and there are clear limits and conditions as to what is permitted development. This will not prevent people from submitting a

planning application if their proposed development is outwith the scope of the permitted developments within this Order.

### **Sectors and groups affected**

3.3 The sectors most likely to be affected by the proposals are:

- Householders, who ultimately pay for, and benefit, from improvements and alterations to their own homes and who may be affected by works to properties in their neighbourhood.
- Planning authorities that have to advise householders and businesses on permitted development rights, determine applications for planning permission and lawful development certificates and consider enforcement action where development is in breach of a planning permission.
- Businesses (in the main architects, planning consultants, builders etc) that carry out the building work and often act as agents for the householder when seeking planning permission.

### **Benefits**

3.4 It is difficult to accurately predict the impact on application numbers, as the total number of applications varies from year to year. It is also difficult to predict how frequently designers would modify proposals to avoid the need for planning permission, and testing has relied on small samples. Informal testing with planning authorities indicated that the proposed rule changes could remove approximately 20% of householder planning applications. Whilst planning authorities, who responded to the consultation which closed in January 2011, indicated that the Order would reduce applications by between 5% and 40%. It is estimated that the proposed order will reduce householder applications by around 20%. This equates to around 7% of all applications.

3.5 The potential benefits to householders, planning authorities and business through removing the need for planning applications in some cases are:

- Householders who would, under the proposed Order, no longer require to apply for planning permission would save £160, plus any additional professional costs associated with submitting a planning application. The total saving would equate to £640,000 a year based on the above assumption.
- Although much harder to quantify, the main saving to householders is that they no longer would have to wait up to 6-8 weeks for a formal planning decision. The removal of the uncertainty surrounding the outcome of a planning application would greatly ease the programming of minor household development projects.
- The simpler rules and guidance will allow householders and businesses to be more informed about planning rules and how they would apply to individual projects, needing to rely less on advice and guidance from either planning authority staff or their own advisors.

- The reduction in the number of times householder developments need planning permission would reduce a current regulatory burden for householders and businesses involved in householder developments.
  - It is considered that there will be staff time savings and other savings, albeit modest and variable between planning authorities. Any time saving would be beneficial to planning authorities and would allow more scope for reviewing ways of working. This would help enable planning authorities to concentrate staff time on tasks and development proposals that are more important, and so improve performance of the planning service.
- 3.6 In practice, there may be even slightly more benefits than indicated if, as seems likely, people would be willing to tailor their proposals to fall within the permitted development right limits. However, accurate estimates of the savings will only be possible when we have actual figures from planning authorities in future years.

### **Costs**

- A lighter approach to control over householder developments may impact the amenity of areas where development happens. However our assessment of research and stakeholder engagement is that currently around 97% of householder applications are approved and a majority are not altered following discussions during the processing of an application.
- There will be an impact on the income of businesses that charge for the preparation of planning applications. This may be replaced by applications for Certificates of Lawful Use or Development.
- Any increase in the number of application for Certificates of Lawful Use or Development would add to the workload of planning authorities, and so partially offset the time freed up by the reduction in planning applications. However, in most cases it would involve a simple judgement as to whether a development could rightly be carried out without the need for a planning application.
- Planning authorities will see a reduction in fee income as the number of planning applications are anticipated to reduce. Planning authorities also indicated that they anticipated an increase in the number of enquiries in the short to medium term. Development of guidance and training will help to reduce the number of queries.

## **4. Scottish Firms Impact Test**

- 4.1 Reform of householder permitted development rights removes regulatory burden from the many businesses, for example, architects and builders, who design and build domestic extensions and provide professional advice to householders. However, the simplification of the rules could lead to a reduction in those seeking specialist help in order to be able to deliver their work, for example, in preparing plans and drawings for a planning application. This may be compensated by an increase in householders carrying out

developments to their properties as direct result of the restrictions and conditions within the Order being simplified.

- 4.2 The Order was discussed with the following builders AW Gordon Ltd (Aberdeen), Scotplans Ltd (Lothians) and Excellence Homes Ltd (Dumfries and Galloway). A workshop for a range of architects, planning agents and designers was held in Elgin and the following businesses attended this meeting Architectural Drafting Service, Ashley Bartlam Partnership, CM Design, David Smith Chartered Architects, Grant and Geoghegan, JWS Design, LDN Architects, PlanPlus and Wittest Ltd.
- 4.3 The discussions with these organisations were technical and raised similar issues and concerns to those raised by those who responded to the written consultation. They welcomed the use of diagrams and illustrations within the guidance document but felt that in some instances the restrictions and conditions were still complex and difficult to interpret. Some indicated that the restrictions could be further relaxed in particular the height restrictions for single storey extensions and porches. Relaxing the restrictions was considered by the Scottish Government, however in light of other comments received as part of the consultation process these are not being amended. We will continue to use illustration and diagrams as we take forward guidance.

#### **Competition Assessment**

- 4.4 The Order is not expected to impact significantly more on some firms than others nor restrict new entrants to the market. Since, in essence, this is increasing the size and types of householder developments that can be built without planning permission. This will impact on all householders equally and provide a cost saving to householders. The need to produce detailed plans are not impacted by these changes.
- 4.5 The freedom of firms to choose the price, quality range or location of their products will be unaffected. This view is shared with the Office of Fair Trading.

#### **Test run of business forms**

- 4.6 No new forms will be introduced as a result of this legislation therefore no requirement for test run.

### **5. Legal Aid Impact Test**

- 5.1 These proposals have no impact in relation to Legal Aid, as the policy does not introduce new procedure or right of appeal to a court or tribunal. Householders will still have the ability to apply for planning permission if their proposal is not permitted through these Order. This view is shared by colleagues with policy responsibility for Legal Aid.

### **6. Enforcement, sanctions and monitoring**

- 6.1 It is for prospective developers to ascertain whether an application for planning permission is required and to ensure that an application is submitted where necessary. Undertaking development without appropriate permission generally constitutes a breach of planning

control and may result in enforcement action under planning legislation.

- 6.2 Circular 10/2009 Planning Enforcement, provides advice about the powers to enforce planning control given to planning authorities by sections 123 to 158 of the Town and Country Planning (Scotland) Act 1997 including the new sections introduced in the Planning etc. (Scotland) Act 2006.
- 6.3 Planning authorities have a wide choice of available options for taking enforcement action, whenever they consider it appropriate. Authorities assess, in each case, which powers (or mix of powers) is best suited to dealing with any particular suspected or actual breach to achieve a satisfactory, lasting and cost-effective remedy. These include a notice requiring an application for planning permission for development already carried out, stop notices, temporary stop notices and fixed penalty notices.
- 6.4 Planning authorities are required to maintain a register recording information regarding any: enforcement notices, breach of condition notices, stop notices, temporary stop notices, and notices under section 33A (notice requiring retrospective planning application), that they issue. The exact information to be recorded varies slightly according to the type of notice. Detailed information on the information required is set out in The Town and Country Planning (Enforcement of Control) (No.2) (Scotland) Regulations 1992, as amended by The Town and Country Planning (Miscellaneous Amendments) (Scotland) Regulations 2009. Every register kept by a planning authority is to be kept available for inspection by the public at all reasonable hours.

## **7. Implementation and delivery plan**

- 7.1 It is anticipated that the amendments will be laid before the Scottish Parliament in October 2011 with the intention that it will come into force on 6 February 2012.
- 7.2 The Scottish Government is working with stakeholders to develop a Circular to accompany the Order.

### **Post-implementation review**

- 7.3 The Scottish Government will continue to monitor the implementation of the Order and review the legislation within 5 years. The Government will monitor how the changes have impacted on the number of applications through monitoring the development management statistics collected from planning authorities. Reaction to how the changes have worked in practice and any particular areas of concern or uncertainty are likely to become quickly apparent through representations made by planning authorities, householders and business.
- 7.4 The Government will liaise specifically with Heads of Planning Scotland to understand the effects of the changes.

## **8. Summary and recommendation**

- 8.1 It is recommended that this Order is implemented as it helps to de-regulate some householder developments which will result in time and resource savings for the householder. Planning authorities will

also see time and resource savings as they will not be required to process as many planning applications. The simplification of the restrictions and conditions will make understanding and interpreting the Order simpler and allow business and householder to be better informed of their rights.

**Summary costs and benefits table**

<b>Reduced number of applications (a)</b>	<b>Fee (per development) (b)</b>	<b>Approximate total saved (a x b)</b>
4,000	£160	£640,000

<b>Increase in Certificates of Lawful Use or Development (a)</b>	<b>Fee (per development) (b)</b>	<b>Approximate total cost (a x b)</b>
2,000 (50 per cent)	£80	£160,000
3,200 (80 per cent)	£80	£256,000

**10. Declaration and publication**

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

I am satisfied that business impact has been assessed with the support of businesses in Scotland.

**Signed:**

**Date:**

**Aileen Campbell  
Minister for Local Government and Planning**

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