

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2013 No. 155**

**The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013**

**PART 4**

Procedure by planning authority

**Time periods for decision**

**26.**—(1) Where a planning authority has received—

- (a) an application made under any of regulations 9 to 12;
- (b) an application for their determination that their approval is required as a condition of planning permission granted by a development order and the planning authority has determined that their approval is required; or
- (c) an application for any other approval, consent or agreement required by a condition imposed on a grant of planning permission,

the period within which the authority must give notice to an applicant of their decision or determination or referral of the application to the Scottish Ministers is the period mentioned in paragraph (2).

(2) The period is—

- (a) in the case of an application for planning permission for development within the category of national developments or major developments, four months after the validation date; and
- (b) in any other case, two months after the validation date.

(3) Paragraph (1)—

- (a) does not apply where—
  - (i) the applicant and the planning authority agree an extended period for the purposes of section 47(2) of the Act (appeals against failure to take planning decision); or
  - (ii) the applicant and the appointed officer agree an extended period for the purposes of section 43A(8)(c) of the Act<sup>(1)</sup> (review where a failure to take planning decision).
- (b) is subject to—
  - (i) paragraph (4);
  - (ii) section 34(4) of the Act; and
  - (iii) sections 60(3) and 65(3) of the Listed Buildings Act<sup>(2)</sup>.

---

<sup>(1)</sup> Section 43A was inserted by section 17 of the Planning etc. (Scotland) Act 2006 and is amended by S.S.I. 2013/24 and 2013/26.

<sup>(2)</sup> 1997 c.9.

(4) An application made under any of regulations 9 to 12 is not to be determined until the date, or the latest date, of the expiry of the period allowed for the making of representations in respect of that application specified in notice—

- (a) given in accordance with regulation 18 or 19; or
- (b) published in accordance with regulation 20.