

SCOTTISH STATUTORY INSTRUMENTS

**2015 No. 237**

**The Town and Country Planning (Historic Environment Scotland) Amendment Regulations 2015**

**Amendment of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013**

5.—(1) Subject to paragraph (4), the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 <sup>M1</sup> are amended in accordance with paragraphs (2) and (3).

(2) In regulation 3 (interpretation), for the definition of “category A listed building” substitute—  
““category A listed building” means a listed building specified as being category A in a list of buildings compiled or approved under section 1 of the Listed Buildings Act <sup>M2</sup> (listing of buildings of special architectural or historic interest);”.

(3) In Schedule 5 (consultation by the planning authority)—

- (a) omit paragraph 5(3), (4) and (5); and
- (b) after paragraph 16 insert—

“17. Historic Environment Scotland, in the case of—

- (a) development of land which is situated within 800 metres from any Royal Palace or Park, and might affect the amenities of that Palace or Park;
- (b) development which may affect—
  - (i) a World Heritage Site;
  - (ii) a historic garden or designed landscape;
  - (iii) the site of a scheduled monument or its setting; or
  - (iv) a category A listed building or its setting; or
- (c) development (other than householder development) which may affect a historic battlefield.”.

(4) Paragraph (3)(b) does not apply in relation to an application for planning permission in respect of which notice is given to the Scottish Ministers under regulation 25(2)(a) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 before 1st October 2015.

**Marginal Citations**

**M1** S.S.I. 2013/155 to which there are amendments which are not relevant to these Regulations.

**M2** 1997 c.9. Section 1 is amended by paragraph 2 of Schedule 3 to the [Historic Environment Scotland Act 2014](#) (asp 19).

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Historic Environment Scotland) Amendment Regulations 2015, Section 5.