
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 50

The Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022

PART 1

Introductory

Citation, commencement and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications) (Scotland) Regulations 2022 and come into force on 1 April 2022.

(2) These Regulations (other than Part 4) apply—

(a) to applications made on or after 1 April 2022 for—

- (i) planning permission,
- (ii) planning permission in principle,
- (iii) approval, consent or agreement required by a condition imposed on a grant of planning permission in principle,
- (iv) a certificate of lawful use or development under section 150 (certificate of lawfulness of existing use or development) or a certificate of proposed use or development under section 151 (certificate of lawfulness of proposed use of development) of the 1997 Act,
- (v) a determination as to whether the planning authority’s prior approval is required in relation to development under schedule 1 (classes of permitted development) of the General Permitted Development Order,
- (vi) a consent for the display of advertisements under regulation 15 (how to apply for consent) of the 1984 Regulations,

(b) in respect of charges and fees for—

- (i) carrying out pre-application discussions on or after 1 April 2022,
- (ii) considering a request made on or after 1 April 2022 to vary a planning permission under section 64 (power to vary planning permission) of the 1997 Act, and
- (iii) considering a request made on or after 1 April 2022 for written confirmation of compliance with a condition imposed on the grant of planning permission.

Interpretation

2. In these Regulations—

“the 1997 Act” means the Town and Country Planning (Scotland) Act 1997,

“the 1984 Regulations” means the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984⁽¹⁾,

“the 2004 Regulations” means the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004⁽²⁾,

“dwellinghouse” means a building or part of a building which is used as a single private dwellinghouse, and for no other purpose,

“equipment” and “fish farming” have the same meanings as in section 26(6) of the 1997 Act⁽³⁾,

“the General Permitted Development Order” means the Town and Country Planning (General Permitted Development) (Scotland) Order 1992⁽⁴⁾,

“marine waters” means the waters described in paragraphs (b) and (c) of subsection (6) of section 26 of the 1997 Act⁽⁵⁾,

“planning permission in principle” has the meaning in section 59 of the 1997 Act⁽⁶⁾,

“use of land” includes use of land for the winning and working of minerals.

(1) [S.I. 1984/467](#) as amended by [S.I. 1992/1763](#), [S.I. 1996/252](#), [S.S.I. 2003/503](#), [S.S.I. 2004/332](#), [S.S.I. 2006/95](#), [S.S.I. 2013/154](#) and [S.S.I. 2014/139](#).

(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](#), [S.S.I. 2017/149](#), [S.S.I. 2017/187](#) and [S.S.I. 2018/110](#).

(3) Definition of “equipment” inserted by the Water Environment and Water Services (Scotland) Act 2003 ([asp 3](#)), section 24(2)(a)(iii). Definition of “fish farming” was amended by [S.S.I. 2007/268](#).

(4) [S.I. 1992/223](#) to which there are amendments not relevant to these Regulations.

(5) Section 26(6) was relevantly amended by the Planning etc. (Scotland) Act 2006 ([asp 17](#)) section 3(c)(i).

(6) Section 59 was amended by the Planning etc. (Scotland) Act 2006 ([asp 17](#)), section 21, and [S.S.I. 2013/26](#).