

SCHEDULE 1

Regulation 3(2)(a)

CALCULATION OF FEES

PART 1

General provisions

Tables of fees

1.—(1) The fee payable under regulation 3 for an application relating to a category of development in column 1 of the relevant table contained in Part 3 of this schedule is the fee calculated in accordance with the appropriate entry in column 2 of that table and paragraphs 1 to 11.

(2) The relevant table is—

- (a) table 1 in relation to an application for—
 - (i) planning permission, or
 - (ii) approval, consent or agreement required by a condition imposed on a grant of planning permission in principle,
- (b) table 2 in relation to an application for planning permission in principle,
- (c) table 3 in relation to an application for a certificate of lawful use or development under section 150 or for a certificate of proposed use or development under section 151 of the 1997 Act,
- (d) table 4 in relation to an application for a determination as to whether the planning authority's prior approval is required in relation to development under schedule 1 of the General Permitted Development Order.

Categories of development

2. In this schedule—

- (a) any reference to a category of development is a reference to one of the categories of development specified in column 1 of the relevant table, and
- (b) in the case of an application for approval, consent or agreement required by a condition imposed on a grant of planning permission in principle, references to the category of development to which an application relates are to be construed as references to the category of development authorised by the relevant planning permission in principle.

Calculation of area or floor space

3. Where, in respect of any category of development the fee must be calculated by reference to—

- (a) the site area—
 - (i) that area is to be taken as consisting of the area of land to which the application relates, and
 - (ii) where the area is not an exact multiple of the unit of measurement specified in respect of the relevant category of development, the fraction of a unit remaining after division of the total area by the unit of measurement is to be treated as a complete unit, and
- (b) the gross floor space—

Status: This is the original version (as it was originally made).

- (i) the area of gross floor space is to be ascertained by external measurement of the floor space, whether or not it is to be bounded wholly or partly by external walls of a building, and
- (ii) where the floor is to be measured by units of 100 square metres any floor space remaining after division of the gross floor space by 100 square metres is to be treated as 100 square metres.

Alternative applications

4. Where an application relates to development which is within more than one of the categories of development—

- (a) an amount is to be calculated in respect of each category of development, and
- (b) the highest amount so calculated is the fee payable in respect of the application.

Glasshouses and polytunnels

5. In table 1 “glasshouse and polytunnel” means a building which—

- (a) has not less than three-quarters of its total external area comprised of glass or other translucent material,
- (b) is designed for the production of flowers, fruit, vegetables, herb or other horticultural produce, and
- (c) is used, or is to be used, solely for the purposes of agriculture.

Planning permission in principle granted before 1 April 2022

6. Where the application is for the approval, consent, or agreement required by a condition imposed on a grant of permission in principle and—

- (a) the planning permission in principle was granted before 1 April 2022, and
- (b) the application relates to development within categories 1, 4, 17, or 21 of table 1,

the fee payable under regulation 3 is subject to a maximum of £125,000.

PART 2

Modified fees

Applications by community councils

7. Where the application is made by a community council established under section 51 of the Local Government (Scotland) Act 1973(1), the amount of the fee payable in respect of the application is reduced by one half.

Applications in conservation areas

8.—(1) Where all the conditions in sub-paragraph (2) are satisfied, the amount of fee payable in respect of an application is reduced by one quarter.

- (2) The conditions are—

(1) 1973 c. 65. Section 51 was amended by the Local Government etc. (Scotland) Act 1994 (c. 39), section 180 and schedule 14.

- (a) the application relates solely to—
 - (i) the carrying out of operations for the alteration of a dwellinghouse (but not including the extension of or the erection of a dwellinghouse), or
 - (ii) other operations within the curtilage of a dwellinghouse (but not including the extension of or the erection of a dwellinghouse),
- (b) the dwellinghouse is in a conservation area,
- (c) the application relates solely to development within one or more of the classes specified in schedule 1 of the General Permitted Development Order, and
- (d) the only reason planning permission is not granted by article 3(1) of the General Permitted Development Order is that the development would be in a conservation area.

Applications for the provision of facilities for sport or recreation

9.—(1) Where an application is made by or for a club, society, trust or other organisation which is not established or conducted for profit and whose objects or purposes, as the case may be, are the provision of facilities for sport or recreation, and the conditions specified in sub-paragraph (2) are satisfied, the fee payable is £600.

- (2) The conditions are—
 - (a) that the application relates to—
 - (i) the making of a material change in the use of land to use the land as a playing field, or
 - (ii) the carrying out of operations other than the erection of a building containing floor space, for purposes ancillary to the use of the land as a playing field,and to no other development, and
 - (b) that the planning authority is satisfied that the development is to be carried out on land which is, or is intended to be used wholly or mainly for the carrying out of the objects or purposes, as the case may be, of the club, society, trust or organisation.

Applications for approval, consent or agreement required by a condition imposed on a grant of planning permission in principle

- 10.—(1) This paragraph applies where—
- (a) an application is made for approval, consent or agreement in respect of one or more matters requiring such approval, consent or agreement in terms of a condition imposed on a grant of planning permission in principle (“the current application”), and
 - (b) the applicant has previously made one or more applications for approval, consent or agreement required by a condition imposed on the grant of that same planning permission in principle and paid the fee in relation to such application or applications.

(2) Where the amount paid as mentioned in sub-paragraph (1)(b) is not less than the amount which would be payable if the applicant were by the current application seeking approval, consent or agreement in respect of all the matters requiring such approval, consent or agreement in terms of conditions imposed on a grant of a planning permission in principle and in relation to the whole of the development authorised by the permission, the fee payable in respect of the current application is £500.

- (3) Where—
 - (a) a fee has been paid as mentioned in sub-paragraph (1)(b) at a rate lower than that prevailing at the date of the current application, and
 - (b) sub-paragraph (2) would apply if that fee had been paid at the rate applying at that date,

the fee in respect of the current application is £500.

Cross boundary applications – allocation of fee

11.—(1) Where this paragraph applies the fee payable to the planning authority for an application is calculated and payable in accordance with sub-paragraphs (2) to (4).

(2) This paragraph applies where applications are made for—

- (a) planning permission, or
- (b) the approval, consent, or agreement required by a condition imposed on a grant of permission in principle,

in respect of development of land lying in the areas of 2 or more planning authorities.

(3) The total fee payable in respect of all the applications is the lesser of—

- (a) one and a half times the amount of the fee which would have been payable for an application in respect of the same development but lying in the area of a single planning authority,
- (b) the sum of the amounts of the fees which would have been payable in respect of all the applications.

(4) The fee payable to a planning authority in respect of an application is the proportion of the total fee payable equal to the proportion of the total site area of the development which falls within the area of that planning authority.

PART 3

Tables of Fees

TABLE 1

FEEES FOR APPLICATIONS FOR PLANNING PERMISSION AND FOR APPLICATIONS FOR APPROVAL, CONSENT OR AGREEMENT REQUIRED BY A CONDITION IMPOSED ON A GRANT OF PLANNING PERMISSION IN PRINCIPLE

<i>Category of development</i>	<i>Fee payable</i>
RESIDENTIAL DEVELOPMENT	(a) where the number of dwellinghouses to be created by the development does not exceed 10, £600 for each dwellinghouse,
New dwellings	(b) where the number of dwellinghouses to be created by the development is fewer than 50, £600 for the first 10 dwellinghouses, and £450 for each dwellinghouse thereafter,
1. Construction of buildings, structures or erections for use as residential accommodation (other than development within categories 2 to 6).	(c) where the number of dwellinghouses to be created by the development is 50 or more, £600 for the first 10 dwellinghouses, £450 for each dwellinghouse in excess of 10 up to 49 dwellinghouses, and £250 for each dwellinghouse in excess of 50, subject to a maximum total of £150,000.

<i>Category of development</i>	<i>Fee payable</i>
Existing dwellings	Where the application relates to—
2. The carrying out of operations which will result in the enlargement, improvement or other alteration of an existing dwelling.	(a) one dwelling, £300, (b) 2 or more dwellings, £600.
3.	
(a) The carrying out of operations, including the erection of a building within the curtilage of an existing dwellinghouse, for purposes ancillary to the enjoyment of the dwellinghouse as such, or	£300.
(b) the erection or construction of gates, fences, walls or other means of enclosure along a boundary of the curtilage of an existing dwellinghouse.	£300.
NON-RESIDENTIAL BUILDINGS	
4. The construction of buildings, structures or erections including extensions (other than construction within categories 1, 5, and 6).	(a) where no floor area is created or the gross floor space created does not exceed 50 square metres, £300, (b) where the gross floor space created exceeds 50 square metres, £600 in respect of any gross floor space up to 100 square metres, (c) where the gross floor space exceeds 100 square metres, £600 plus £600 per 100 square metres in respect of any gross floor space exceeding 100 square metres and up to 4,000 square metres, (d) where the gross floor space exceeds 4,000 square metres, £24,000 plus £300 per 100 square metres in respect of any gross floor space exceeding 4,000 square metres, subject to a maximum of £150,000, (e) where no buildings are to be created, £600 per 0.1 hectare of site area, subject to a maximum of £150,000.
Agricultural buildings	
5. The erection, on land used for the purposes of agriculture, of buildings to be used for agricultural purposes (other than buildings in category 6).	(a) Where the ground area to be covered by the development does not exceed 500 square metres, £500, (b) Where the ground area to be covered by the development exceeds 500 square metres, £500 plus £500 for each 100 square metres in excess of 500 square metres, subject to a maximum of £25,000.
Glasshouses and polytunnels	

Status: This is the original version (as it was originally made).

<i>Category of development</i>	<i>Fee payable</i>
6. The erection of glasshouses or polytunnels to be used for agricultural purposes.	£100 for each 100 square metres of ground area to be covered by the development subject to a maximum of £5,000.

ENERGY GENERATION

7. The erection of wind turbines and the carrying out of other operations in connection with the construction of the generating station, including the construction or installation of any means of access to the generating station, pipes or other conduits, and overhead lines.	<p>(a) Where the number of turbines does not exceed 3—</p> <p>(i) where none of the turbines have a ground to hub height exceeding 15 metres, £1,250,</p> <p>(ii) where one or more of the turbines has a ground to hub height exceeding 15 metres, but not exceeding 50 metres, £2,500,</p> <p>(iii) where one or more of the turbines has a ground to hub height exceeding 50 metres, £5,000.</p> <p>(b) Where the number of turbines does exceed 3, £500 for each 0.1 hectare of site area, subject to a maximum of £150,000.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

8. The construction of a hydro-electric generating station and the carrying out of any other operations in connection with the construction of the generating station, including the construction or installation of any means of access to the generating station, pipes or other conduits, and overhead lines. £500 for each 0.1 hectare of site area, subject to a maximum of £25,000.

9. The construction of a solar electric generating station and the carrying out of any other operations in connection with the construction of the generating station, including the construction or installation of any means of access to the generating station, pipes or other conduits, and overhead lines. £500 for each 0.1 hectare of site area, subject to a maximum of £25,000.

10. The carrying out of any operations connected with the exploratory drilling for oil or natural gas.	<p>(a) Where the site area does not exceed 0.1 hectares, £1,000,</p> <p>(b) Where the site area exceeds 0.1 hectares, £1,000 in respect of the first 0.1 hectares of site area, plus £500 for each 0.1 hectare of site area in excess of 0.1 hectares, subject to a maximum of £150,000.</p>
--------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

FISH AND SHELLFISH FARMING

11. The placing or assembly of equipment in any part of any marine waters for the purposes of fish farming. £200 for each 0.1 hectare of the surface area of the marine waters to be used in relation to the placement or assembly of any equipment for the purposes of fish farming and £75 for each 0.1 hectare of the sea bed to be used in relation

<i>Category of development</i>	<i>Fee payable</i>
	to such development, subject to a maximum of £25,000.
12. The placing or assembly of equipment in any part of any marine waters for the purposes of shellfish farming.	£200 for each 0.1 hectare of the surface area of the marine waters to be used in relation to the placement or assembly of any equipment for the purposes of shellfish farming, subject to a maximum of £25,000.
13. The erection, alteration or replacement of plant or machinery.	(a) Where the site area does not exceed 5 hectares, £500 for each 0.1 hectare of site area, (b) Where the site area exceeds 5 hectares, £25,000 plus £250 for each 0.1 hectare of the site area in excess of 5 hectares, subject to a maximum of £150,000.
14. The construction of car parks, service roads and other means of access on land used for the purposes of a single undertaking, where the development is required for a purpose incidental to the existing use of the land.	£500
15. Operations for the winning and working of minerals (not including peat).	(a) Where the site area does not exceed 0.1 hectare, £1,000, (b) Where the site area exceeds 0.1 hectare, but does not exceed 15 hectares, £1,000 plus £500 for each 0.1 hectare of the site area in excess of 0.1 hectare, (c) Where the site area exceeds 15 hectares, £75,000, plus £250 for each 0.1 hectare of site area in excess of 15 hectares, subject to a maximum of £150,000.
16. Operations for the extraction of peat.	(a) £500 for each 0.1 hectare of site area, subject to a maximum of £6,000.
17. The carrying out of any operations not coming within any of the above categories.	(a) Where the site area does not exceed 0.1 hectare, £1,000, (b) Where the site area exceeds 0.1 hectare, but does not exceed 15 hectares, £1,000 plus £500 for each 1 hectare of the site area in excess of 0.1 hectare, (c) Where the site area exceeds 15 hectares, £8,500 plus £250 for each 0.1 hectare of the site area in excess of 15 hectares, subject to a maximum of £150,000.

USE OF LAND

18. The use of land for the disposal of refuse or waste materials or for the deposit of material remaining after minerals have been extracted from land.	(a) Where the site area does not exceed 0.1 hectare, £1,000, (b) Where the site area exceeds 0.1 hectare, but does not exceed 15 hectares, £1,000 plus £500 for each 1 hectare of the site area in excess of 0.1 hectare,
----------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Status: This is the original version (as it was originally made).

<i>Category of development</i>	<i>Fee payable</i>
	(c) Where the site area exceeds 15 hectares, £8,500 plus £250 for each 0.1 hectare of the site area in excess of 15 hectares, subject to a maximum of £150,000.
19. The use of land for the storage of minerals in the open.	<p>(a) Where the site area does not exceed 0.1 hectare, £1,000,</p> <p>(b) Where the site area exceeds 0.1 hectare, but does not exceed 15 hectares, £1,000 plus £500 for each 1 hectare of the site area in excess of 0.1 hectare,</p> <p>(c) Where the site area exceeds 15 hectares, £25,500 plus £250 for each 0.1 hectare of the site area in excess of 15 hectares, subject to a maximum of £150,000.</p>
CHANGE OF USE OF BUILDINGS OR LAND	
20. The change of use of a building to use as one or more dwellinghouses.	<p>(a) Where the number of dwellinghouses to be created by the development does not exceed 10, £600 for each dwellinghouse,</p> <p>(b) Where the number of dwellinghouses to be created by the development is fewer than 50, £600 for the first 10 dwellinghouses, and £450 for each dwellinghouse thereafter,</p> <p>(c) Where the number of dwellinghouses to be created by the development is 50 or more, £23,550 plus £250 for each dwellinghouse in excess of 50.</p>
21. A material change in the use of a building (other than a change of use referred to in category 20).	<p>(a) Where the gross floor space does not exceed 100 square metres, £600,</p> <p>(b) Where the gross floor space exceeds 100 square metres, £600 plus £600 per 100 square metres up to 4,000 square metres,</p> <p>(c) Where the gross floor space exceeds 4,000 square metres, £24,000 plus £300 per 100 square metres in respect of any gross floor space exceeding 4,000 square metres, subject to a maximum of £150,000.</p>
22. A material change in the use of land (other than—	(a) £500 per 0.1 hectare of site area subject to a maximum of £5,000.
(a) a change of use within category 21, or	
(b) a change of use within categories 18 or 19, or	
(c) a change in the use of equipment placed or assembled in marine waters for the purposes of fish farming or shellfish farming).	

TABLE 2**FEEES FOR APPLICATIONS FOR PLANNING PERMISSION IN PRINCIPLE**

<i>Category of development</i>	<i>Fee payable</i>
RESIDENTIAL DEVELOPMENT	
New dwellings	
1. Construction of buildings, structures or erections for use as residential accommodation.	(a) where only one dwellinghouse is to be created, £600, (b) where more than one dwellinghouse is to be created and the site area does not exceed 2.5 hectares, £600 for each 0.1 hectare of the site area, (c) where more than one dwellinghouse is to be created and site area exceeds 2.5 hectares, £600 for each 0.1 hectare up to 2.5 hectares of the site area, and then £300 for each 0.1 hectare in excess of 2.5 hectares, subject to a maximum of £75,000.
NON-RESIDENTIAL BUILDINGS	
2. The construction of buildings, structures or erections including extensions.	£600 for each 0.1 hectare up to 2.5 hectares of the site area, and then £300 for each 0.1 hectare in excess of 2.5 hectares, subject to a maximum of £75,000.

TABLE 3**FEEES FOR APPLICATIONS FOR A CERTIFICATE OF LAWFUL USE OR DEVELOPMENT UNDER SECTION 150 OR A CERTIFICATE OF PROPOSED USE OR DEVELOPMENT UNDER SECTION 151 OF THE 1997 ACT**

<i>Category of development</i>	<i>Fee payable</i>
CERTIFICATES OF LAWFULNESS OF EXISTING USE OR DEVELOPMENT	
1. An application under section 150(1)(a) or (b) of the 1997 Act (or both as the case may be).	The amount that would be payable in respect of an application for planning permission to institute the use or carry out the operations specified in the application (or an application to do both, as the case may be).
2. An application under section 150(1)(c) of the 1997 Act.	£300.
CERTIFICATES OF LAWFULNESS FOR PROPOSED USE OR DEVELOPMENT	
3. An application under section 151(1) of the 1997 Act (apart from one within category 4).	Half the amount that would be payable in respect of an application for planning permission to institute the use or carry out the operations

Status: This is the original version (as it was originally made).

<i>Category of development</i>	<i>Fee payable</i>
	specified in the application (or an application to do both, as the case may be).
4. An application under section 151(1)(a) where the use specified is use as one or more separate dwellinghouses.	£600 for each dwellinghouse, subject to a maximum of £150,000.

TABLE 4

FEEs FOR A DETERMINATION AS TO WHETHER THE PLANNING AUTHORITY'S PRIOR APPROVAL IS REQUIRED IN RELATION TO DEVELOPMENT UNDER SCHEDULE 1 OF THE GENERAL PERMITTED DEVELOPMENT ORDER

<i>Category of development</i>	<i>Fee payable</i>
1. An application made for determination as to whether the prior approval of the planning authority is required in relation to development under schedule 1 of the General Permitted Development Order (other than one within categories 2 to 9).	£100.
2. An application made by virtue of paragraph (4A) of Class 18 of Part 6 (agricultural buildings and operations) of schedule 1 of the General Permitted Development Order.	No fee.
3. An application made by virtue of paragraph (4) of Class 18B of Part 6 (agricultural buildings and operations) of schedule 1 of the General Permitted Development Order.	£500.
4. An application made by virtue of paragraph (5) of Class 18C of Part 6 (agricultural buildings and operations) of schedule 1 of the General Permitted Development Order.	£500.
5. An application made by virtue of paragraph (4) of Class 21A of Part 6A (fish farming) of schedule 1 of the General Permitted Development Order.	£500.
6. An application made by virtue of paragraph (4) of Class 22A of Part 7 (forestry buildings and operations) of schedule 1 of the General Permitted Development Order.	£500.
7. An application made by virtue of paragraph (5) of Class 22B of Part 7 (forestry buildings and operations) of schedule 1 of the General Permitted Development Order.	£500.
8. An application made by virtue of paragraph (4) of Class 22 of Part 7 (forestry buildings and operations) of schedule 1 of the General Permitted Development Order.	No fee.

<i>Category of development</i>	<i>Fee payable</i>
9. An application made by virtue of sub-paragraph (23) of Class 67 of Part 20 (development by electronic communications code operators) of schedule 1 of the General Permitted Development Order.	£500.

SCHEDULE 2

Regulation 16

REVOKED INSTRUMENTS

TABLE OF INSTRUMENTS REVOKED UNDER REGULATION 16

<i>Regulations revoked</i>	<i>References</i>
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2007	S.S.I. 2007/253
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2010	S.S.I. 2010/141
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2010	S.S.I. 2010/280
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2013	S.S.I. 2013/105
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2014	S.S.I. 2014/214
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2014	S.S.I. 2014/301
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2017	S.S.I. 2017/120
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 2) Regulations 2017	S.S.I. 2017/149
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment (No. 3) Regulations 2017	S.S.I. 2017/187
Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2018	S.S.I. 2018/110