
SCOTTISH STATUTORY INSTRUMENTS

2022 No. 66

The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2022

PART 2

Amendment of Emergency Period and Extended Period

Amendment of the definition of “emergency period”

2.—(1) In the definition of “emergency period” in section 58(3C) (duration of planning permission) of the Act, for “31 March 2022” substitute “30 September 2022”.

(2) In the definition of “emergency period” in section 59(8C) (planning permission in principle) of the Act, for “31 March 2022” substitute “30 September 2022”.

(3) In the definition of “emergency period” in section 16(6) (duration of listed building consent) of the Listed Buildings Act, for “31 March 2022” substitute “30 September 2022”.

Amendment of the definition of “extended period”

3.—(1) In the definition of “extended period” in section 58(3C) of the Act for “30 September 2022” substitute “31 March 2023”.

(2) In the definition of “extended period” in section 59(8C) of the Act for “30 September 2022” substitute “31 March 2023”.

(3) In the definition of “extended period” in section 16(6) of the Listed Buildings Act for “30 September 2022” substitute “31 March 2023”.

Saving provisions – planning permission

4.—(1) The provisions of sections 58 and 59 of the Act continue to have effect in relation to a relevant planning permission as they have effect immediately before the relevant date subject to the modifications specified in paragraph (2).

(2) The modifications are—

(a) section 58 of the Act is to have effect as if only subsections (3B) and (3C), as set out in paragraph 9 of schedule 7 of the Coronavirus (Scotland) Act 2020, were inserted after section 58(3A) and subsections (3D) and (3E), as set out in that paragraph, were omitted,

(b) section 59 of the Act is to have effect as if only subsections (8A), (8B) and (8C), as set out in paragraph 10 of schedule 7 of the Coronavirus (Scotland) Act 2020, were inserted after section 59(8), and subsections (8D) and (8E), as set out in that paragraph, were omitted.

(3) In this regulation—

“planning permission” and “planning permission in principle” have the same meaning as in the Act,

“relevant date” means the end of 30 September 2022,

“relevant planning permission” means—

- (a) in relation to section 58 of the Act, planning permission granted or deemed to have been granted before the relevant date, and
- (b) in relation to section 59 of the Act, planning permission in principle granted before the relevant date.

Saving provisions - listed building consent

5.—(1) The provisions of section 16(5) and (6) of the Listed Buildings Act continue to have effect in relation to a relevant consent as they had effect immediately before the relevant date.

(2) In this regulation—

“listed building consent” and “conservation area consent” have the same meaning as in the Listed Buildings Act,

“relevant consent” means—

- (a) a listed building consent granted before the relevant date,
- (b) a conservation area consent granted before the relevant date,

“relevant date” means the end of 30 September 2022.

Revocations

6. Regulations 4 and 5 of the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2021⁽¹⁾ are revoked.