SCOTTISH STATUTORY INSTRUMENTS

2002 No. 122

TOWN AND COUNTRY PLANNING

The Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2002

Made - - - -	*11th March 2002*
Coming into force - -	*1st April 2002*

The Scottish Ministers, in exercise of the powers conferred by section 252 of the Town and Country Planning (Scotland) Act 1997(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations, a draft of which has, in accordance with subsection (4) of the said section 252, been laid before, and approved by resolution of the Scottish Parliament:

Citation, commencement, interpretation and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2002 and shall come into force on 1st April 2002.

(2) in these Regulations "the principal Regulations" means the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 1997(**2**).

(3) These Regulations apply to–

(a) applications referred to at regulation 1(2)(a) of the principal Regulations which are made on or after the day on which these Regulations come into force; and

(b) deemed applications for planning permission in connection with an enforcement notice issued on or after the day on which these Regulations come into force.

General increase

2.—(1) The principal Regulations shall be amended in accordance with this and the following regulations.

(2) In regulation 12–

(a) in paragraph (5)(b) for "£105" there shall be substituted "£110"; and

(**1**) 1997 c. 8. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).
(**2**) S.I.1997/10, amended by S.S.I. 2000/150.

(b) in paragraph (6) for the words from "£210" to "£10,500" there shall be substituted "£220 for each dwellinghouse, subject to a maximum of £11,000".

(3) In regulation 13(1) for "£40" there shall be substituted "£42".

(4) In regulation 14(2) for "£105" there shall be substituted "£110".

3. In the Schedule to the principal Regulations–

(a) in paragraphs 4(1) and 5(2) and (3)(b) for "£210" there shall be substituted "£220";

(b) in paragraphs 6 and 7(b) for "£105" there shall be substituted "£110"; and

(c) in paragraph 14 for the words from "£210" to "£5,250" there shall be substituted "£220 for each 0.1 hectares of the site area, subject to a maximum of £5,500".

4. In place of the Table contained in the Schedule to the principal Regulations there shall be substituted the Table contained in the Schedule to these Regulations.

Savings

5. These Regulations shall not affect the principal Regulations in so far as they apply to–

(a) any application or deemed application referred to at regulation 1(2)(a) of the principal Regulations made before 1st April 2002;

(b) any deemed application for planning permission in connection with an enforcement notice issued before 1st April 2002.

St Andrew's House,Edinburgh
11th March 2002

MARGARET CURRAN
Authorised to sign by the Scottish Ministers

SCHEDULE Regulation 4

"TABLE

SCALE OF FEES ON AND AFTER 1 APRIL 2002

1 *(Category of development)*	*2* *(Fee Payable)*
I. *Operations*	
1. The erection of dwellinghouses (other than development within category 5).	Where the application is for– (a) outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; or for one dwellinghouse, £220; (b) other than outline planning permission, £220 for each dwellinghouse to be created by the development, subject to a maximum of £11,000.
2. The erection of buildings (other than buildings coming within category 1, 3, 4 or 6).	Where the application is for– (a) outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) other than outline planning permission– (i) where no floor space is to be created by the development, £110; (ii) where the area of gross floor space to be created by the development does not exceed 40 square metres, £110; (iii) where the area of gross floor space to be created by the development exceeds 40 square metres but does not exceed 75 square metres, £220; and (iv) where the area of gross floor space to be created by the development exceeds 75 square metres, £220 for each 75 square metres, subject to a maximum of £11,000.
3. The erection on land used for the purposes of agriculture, of those works, structures or buildings excluded by virtue of paragraph 2(d) of Class 18 in Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 from that class (other than buildings coming within category 4).	(a) (a) Where the application is for outline planning permission, £220 for each 0.1 hectare of the site area, subject to a maximum of £5,500; (b) in all other cases– (i) where the ground area to be covered by the development exceeds 465 square metres but does not exceed 540 square metres, £220;