POLICY NOTE

THE TOWN AND COUNTRY PLANNING (FEES FOR APPLICATIONS) (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/125

The above instrument was made in exercise of the powers conferred by section 252 of the Town and Country Planning (Scotland) Act 1997 and all other powers enabling them to do so. The instrument is subject to negative procedure.

Summary Box

The Town and Country Planning (Fees for Applications) (Scotland) Amendment Regulations 2024 set out the fees which a planning authority can charge for the submission of a planning application and similar applications. The Regulations implement an increase to planning fees to take account of the effects of inflation in 2025.

Policy Objectives

Local authorities across the country are under financial pressure, and planning departments have felt the effects of this with reductions in budgets and ultimately staff numbers. Although the overall resourcing of the planning service is a matter for local authorities, planning fees have an important role in ensuring that applicants rather than the taxpayer help to cover the cost of determining applications.

This is part of a package of proposals which are intended to improve the capacity, skills and resources in the planning system. On 23 September 2024 we published a blog outlining the steps we were intending to take following the Investing in Planning Consultation which ran from February to May 2024. This is part of Phase 2 of the proposals which includes an increase to planning application fees to take account of inflation in 2024. Separate Regulations introduce fees for appealing planning decisions to the Scottish Ministers and requesting a review of a decision by a local review body.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights:

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the Town and Country Planning (Fees for Applications) (S) Amendment Regulations 2025 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

From February to May 2024, we sought views from stakeholders on a range of proposals to improve the resourcing, skills and capacity of the planning system. This included streamlining processes and smarter ways of working and opportunities to increase the financial resources available to planning authorities. There was general support for a number

of the proposals in the consultation. We asked which proposal stakeholders would most like to see implemented and the two most popular proposals related to the introduction of a Planning Hub and the introduction of an annual inflationary increase to planning fees, which this SSI implements. A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website.

Impact Assessments
The full range of impact assessments has been considered during the consultation process and in drafting these regulations. We sought views on draft impact assessments during the consultation, including our decision to screen out the following impact assessments: Data Protection Impact Assessment; Child Rights and Wellbeing Impact assessment; Consumer Duty; Equality Impact Assessment; Fairer Scotland Duty; Islands Communities Impact Assessment; and Strategic Environmental Assessment. The views provided in response to the consultation have not led us to change our decision and the impact assessments have been screened out and the relevant documentation completed.

Financial Effects
A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The impact of this policy on business is that in most cases, the fee for applying for planning permission will increase. Planning fees are to increase in line with the Consumer Price Index for 2024 (3.3%). As well as being of direct benefit to authorities, insofar as these additional resources help support ongoing performance improvement, the proposed changes stand to also benefit applicants in that respect.

Scottish Government
Planning, Architecture and Regeneration Directorate

28 April 2025