POLICY NOTE

THE TOWN AND COUNTRY PLANNING (FEES FOR LOCAL REVIEWS) (SCOTLAND) AMENDMENT REGULATIONS 2026

SSI 2026/48

The above instrument was made in exercise of the powers conferred by sections 252 and 275 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 Local Reviews) (Scotland) Amendment Regulations 2026 implement an inflation-linked increase, in line with the Consumer Price Index (CPIH) Annual Rate for 2025 of 3.9%, to fees payable for local reviews conducted by virtue of section 43A(8)(a) or (b) of the Town and Country Planning (Scotland) Act 1997.

Policy Objectives

A robust, well-resourced and streamlined planning service is vital to improve development delivery and support our economy, environment and people. Previously, the local review process delivered through Local Review Bodies was provided free of charge. In June 2025, we introduced legislation which saw the introduction of fees for requesting a local review of a delegated decision on a planning application.

It is necessary for local authorities to receive the necessary resource required to support Local Review Bodies in considering and determining cases for review, without drawing resource from the taxpayer. Therefore, an inflation linked increase to local review fees is also required.

United Nations 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 Act), the Scottish Ministers certify that, in their view, the Town and Country Planning (Fees for Local Reviews) (Scotland) Amendment Regulations 2026 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. Overall, there was general support for the introduction of fees for local reviews, which were subsequently introduced

through legislation in June 2025. A Policy Note[1] for the introduction of fees for local reviews was produced and provides further background on the consultation. There was also general support for the annual inflationary increase to planning fees.

Impact Assessments
A full suite of impact assessments was considered during both the consultation process, and the drafting of the regulations to introduce fees for local reviews, including: Business and Regulatory Impact Assessment; Child Rights and Wellbeing Impact Assessment; Data Protection Impact Assessment; Equality Impact Assessment; Fairer Scotland Duty Assessment; Island Communities Impact Assessment.; Rural Assessment, and; Strategic Environmental Assessment.

Consideration has been given, and relevant assessments have been completed, when drafting these regulations.

Financial Effects
A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached. The impact of this policy on business will be that the fee for requesting a review by a Local Review Body of a planning decision, will increase. This will be the first inflation linked increase to local review fees since the introduction of such fees in June 2025. To provide consistency with the cost of planning applications, the fees for local reviews are being increased in line with the Consumer Price Index for 2025. Authorities should see an increase in financial provision as a result of these changes which should, in turn, help to support and improve the quality of the planning system across Scotland.

Scottish Government
Planning, Architecture and Regeneration Directorate

February 2026

[1] https://www.legislation.gov.uk/ssi/2025/126/pdfs/ssipn_20250126_en_001.pdf