



THE TOWN & COUNTRY PLANING (GENERAL DEVELOPMENT)
(SCOTLAND) ORDER 1992, SCHEDULE 1, PART 23

PRIOR NOTIFICATION FORM FOR DEMOLITION OF BUILDINGS

*Notes for Guidance

HOW PLANNING CONTROLS APPLY TO THE DEMOLITION OF BUILDINGS

1. Anyone intending to demolish

- (i) dwellinghouse(s).
- (ii) buildings containing flats.
- (iii) buildings adjoining dwellinghouses or buildings containing flats.

2. There is no control in respect of the demolition of:

- (i) any building the cubic content of which measured externally does not exceed 50 cubic metres.
- (ii) the whole part of any gate, fence, wall or other means of enclosure.
- (iii) warehouses, factories, offices, churches, theatres, shops, etc. (except where adjoining dwellinghouses or flats).

3. What you need to do:

Firstly, if you have any questions about demolition, please contact the Planning Authority. If your proposed demolition relates to one of the three categories in Paragraph 1 above, then it benefits from a form of permission known as “**Permitted Development**”, unless the Planning Authority considers that the building has been made unsafe or uninhabitable through the actions or neglect of anyone having an interest in the land on which the building stands and it can be made secure through repairs or temporary support. In this case alone, a Planning Application must be submitted and approved before demolition can take place.

4. If your application is “**permitted development**”, then such permission may not be exercised until the Planning authority has determined whether it requires to give prior approval to the demolition. In these circumstances you must apply for a **determination as to whether prior approval is needed** by:

- (a) completing and submitting the attached Prior Notification Form.
- (b) notifying neighbouring properties.
- (c) paying the appropriate fee.
(Cheques and Postal Orders should be made payable to **Perth and Kinross Council**).

NOTE: If paying for your application by cash please ensure that you are given a valid receipt.
Please do not enclose cash when submitting your application by post.

The appropriate fee, 2 copies of the completed form, the neighbour notification certificate and 2 copies of a location plan, one indicating those neighbours notified, should be returned either in person or by post to the address below.

**The Development Quality Manager
The Environment Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD**

Tel: (01738) 475300 Fax: (01738) 475310

5. What Happens Next?

The Planning Authority has 28 days from receipt of the Prior Notification Form to respond. You should receive an acknowledgement informing you of the date of receipt. Demolition cannot begin within the period of 28 days from the date on which the Authority received your notification unless the Authority indicate, in writing, that they are content. If they do not respond within this 28 day period, then the demolition can proceed as notified.

If informal discussions take place with the Authority and the original proposal is modified by agreement, there is no requirement to re-notify the Authority. The Authority should give written approval to the modification to make it clear that the modified proposals can proceed.

If the Authority indicate, within the 28 day period, that they require formal submission of details for prior approval, the Authority has a period of 2 months from the date when the application for determination was received, to arrive at a decision on the details. There is right of appeal to the Scottish Ministers if a decision is not given in that period or if approval is refused.

The proposed demolition, where prior approval has been granted, may be carried out at any time within 5 years of the approval, or in cases where prior approval was not required, within 5 years of the date of the application for a determination. Outside that period, a further application to the Planning Authority will be needed.

NOTE:

1. *The demolition of the following buildings is subject to separate control independent of the prior notification process:*
 - (i) *any building which is a Listed Building*
 - (ii) *any building in a Conservation Area*
 - (iii) *any building which is a scheduled monument*
2. *A building is not regarded as a dwellinghouse or as containing a flat if the use of that building, or any part of that building, as a dwellinghouse is ancillary to any non-residential use of that building or other buildings on the same site.*
- 3.

6. Neighbour Notification Plan

By law an applicant is required to notify neighbours that he/she is applying for a determination as to whether prior approval is needed. You must indicate on a location plan neighbours you have notified.

Neighbours to be notified are:

Owners, occupiers and lessees of adjoining land or property within 4 metres of the red line application site boundary, excluding roads smaller than 20 metres wide.

This normally includes neighbours on either side, across the road and behind the application site.



THE TOWN AND COUNTRY PLANNING
(GENERAL PERMITTED DEVELOPMENT)
(SCOTLAND) ORDER 1992, SCHEDULE 1, PART 23

**PRIOR NOTIFICATION FORM FOR
DEMOLITION OF BUILDINGS**

Official Use Only	
Ref No:.....	Date Received:
Fee/Receipt No:.....	28 Day Deadline

Please detach and read the Notes for Guidance before completing this form.

Do not start work until you have received approval from the authority or until 28 days after the Authority have **received** this form.

1. The site

(i) Name and address of person(s) submitting this notification.

.....
.....
.....
.....

Telephone No.

(ii) Address of building and name of its owner(s)
(if different from (i) above)

Owner(s)

Building

.....
.....

Telephone No.

2. Description of Proposed Development:

- (i) What is the reason for the demolition?.....
.....
.....
- (ii) When is it intended to demolish the property?
- (iii) What method of demolition will be employed?.....
.....
- (iv) Approximately, how long will the demolition take?.....
.....
- (v) In what condition will the site be left following demolition?
- (vi) Is the site to be fenced off following demolition? If so, please describe.....
.....
.....

3. Fee:

Please confirm the appropriate fee of £55 has been included by ticking this box.

4. Neighbour Notification:

Please ensure you have carried out Neighbour Notification as per the Notes for Guidance and that you have completed and returned the appropriate Certificate of Neighbour Notification (see attached certificates) and Location Plan indicating neighbours who have been notified.

5. Certification:

I certify that, to the best of my knowledge and belief, the statements made in this form and in the supporting information are true and the information is correct.

Signature:

Name:
(BLOCK CAPITALS)

Date:

**The Development Quality Manager
The Environment Service
Perth and Kinross Council
Pullar House
35 Kinnoull Street
Perth
PH1 5GD**

Either sign Certificate 1 or complete all parts of Certificate 2

Certificate 1

I hereby certify that no notification of neighbours is required as there are no parties holding a notifiable interest in neighbouring land.

Signed Dated

Certificate 2

I hereby certify that I have/the applicant has* sent the requisite notices to all the persons holding a notifiable interest in neighbouring land, together with a plan showing the location of the proposed development.

*delete as appropriate

Signed Dated

NON DOMESTIC PROPERTY

The names and addresses of those persons who have been notified with a note of their interest (being that of owner, lessee or occupier) are as follows:

Name Owner Lessee Occupier

Address

.....

.....

.....

Name Owner Lessee Occupier

Address

.....

.....

.....

Name Owner Lessee Occupier

Address

.....

.....

.....

Certificate 2 (continued)

DOMESTIC PROPERTY

The address(es) to which the requisite notices have been sent out with the details to both the owner and occupier are:

Name

Address

.....

.....

.....

Name

Address

.....

.....

.....

Name

Address

.....

.....

.....

Name

Address

.....

.....

.....

Continue on a separate sheet if required

I hereby apply for a determination as to whether prior approval is required to carry out the proposed demolition in accordance with the details given on this form and provided on the accompanying plans.

Signature of Applicant or Agent **Date**.....

IMPORTANT

Whilst it is not the duty of the Council to check the accuracy of Neighbour Notification certificates, applicants are reminded that false certification is a legal offence and could be the subject of a substantial fine.