

## **THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS) (HISTORIC BATTLEFIELDS) (SCOTLAND) DIRECTION 2019**

1. Scottish Ministers draw your attention to the attached Direction. The Direction is given under powers conferred on Scottish Ministers by Regulation 31 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013.
2. The Direction comes into force on 1 March 2019. The effect of the Direction is to require notification of any new applications for non-householder development that may affect designated historic battlefields.
3. Scotland's designated historic battlefields are an important part of our identify and culture. This Direction is given to inform a national overview of development in the planning system that is affecting designated historic battlefields.

# THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS) (HISTORIC BATTLEFIELDS) (SCOTLAND) DIRECTION 2019

Scottish Ministers give the following Direction in exercise of the powers conferred by regulations 31 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and all other powers enabling them to do so:

## Citation, commencement and interpretation

1. —(1) This Direction may be cited as the Town And Country Planning (Notification of Applications) (Historic Battlefields) (Scotland) Direction 2019 and comes into effect on 1 March 2019.

(2) In this Direction—

“historic battlefield” means a battlefield which is included on the Inventory of Battlefields compiled and maintained under section 32B of the Ancient Monuments and Archaeological Areas Act 1979<sup>1</sup>; and

“householder development” means the carrying out of building, engineering or other operations—

- (a) to improve, add to or alter an existing dwellinghouse;
- (b) within the curtilage of a dwellinghouse for a purpose incidental to the enjoyment of that dwellinghouse; and
- (c) to erect or construct a gate, fence or wall or other means of enclosure along a boundary of the curtilage of a dwellinghouse.

## Information to be given to Scottish Ministers

2. When a planning authority receives an application for planning permission, other than an application for householder development, for development which may affect a historic battlefield, it must give Scottish Ministers the following information—

- The planning application reference;
- The address or location of the development;
- The battlefield it is in; and
- A description of the development.

3. The Scottish Government would expect, where possible, that the information sent to Scottish Ministers, is provided electronically by means of a link, or series of links to the relevant case file on the authority’s website.

## Submission of information

4. Submission should be made by e-mail to the following address:

[planning.decisions@gov.scot](mailto:planning.decisions@gov.scot)

5. Where it is necessary to send hard copies of some or all of the required documents they should be sent to:

<sup>1</sup> <http://portal.historicenvironment.scot/search> – click filter, select designations, and then battlefields and apply filters to get the update to list of designated battlefields.

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Directorate for Local Government and Communities  
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