



# Planning (Scotland) Act 2019

## 2019 asp 13

### PLANNING (SCOTLAND) ACT 2019

#### **PART 1**

##### DEVELOPMENT PLANNING

###### *Development planning*

- 1 Purpose of planning
- 2 National Planning Framework
- 3 Open space strategy
- 4 Housing needs of older people and disabled people: parliamentary report
- 5 Strategic development: regional spatial strategies
- 6 Removal of requirement to prepare strategic development plans
- 7 Local development plans
- 8 List of persons seeking land for self-build housing
- 9 Supplementary guidance
- 10 Key agencies
- 11 Delivery programmes
- 12 Amendment of National Planning Framework and local development plans
- 13 Development plan

###### *Local place plans*

- 14 Local place plans

#### **PART 2**

##### MASTERPLAN CONSENT AREAS

- 15 Masterplan consent area schemes
- 16 Bar to creation of new simplified planning zones

*Status: Point in time view as at 01/04/2021.*

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### PART 3

#### DEVELOPMENT MANAGEMENT

##### *Meaning of “development”*

- 17 Meaning of “development”: use of dwellinghouse for short-term holiday lets

##### *Applications*

- 18 Pre-application consultation  
19 Assessment of health effects  
20 Regulations about procedure for certain applications  
21 Removal of requirement to recover costs before determining certain applications  
22 Declining to determine an application

##### *Notice by planning authority of certain applications made to them*

- 23 Notice by planning authority of certain applications made to them

##### *Assessment of environmental effects*

- 24 Assessment of environmental effects

##### *Conditional grant of planning permission: noise-sensitive developments*

- 25 Conditional grant of planning permission: noise-sensitive developments

##### *Conditional grant of planning permission: provision of toilet facilities within certain large developments*

- 26 Conditional grant of planning permission: provision of toilet facilities within certain large developments

##### *Delegation of development decisions*

- 27 Delegation of development decisions  
28 Schemes of delegation

##### *Call-in of applications by Scottish Ministers: further provision*

- 29 Call-in of applications by Scottish Ministers: further provision

##### *Determination of applications: statement to accompany notification*

- 30 Determination of applications: statement to accompany notification

##### *Agreements relating to period before which an appeal may be made*

- 31 Agreements relating to period before which an appeal may be made

##### *Duration of planning permission*

- 32 Duration of planning permission  
33 Completion notices

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### *Planning obligations*

- 34 Planning obligations: financial agreements
- 35 Planning obligations: publication
- 36 Planning obligations: annual report
- 37 Planning obligations: modification or discharge

### *Declining to determine an application: further provision*

- 38 Declining to determine an application: further provision

### *Development orders*

- 39 Withdrawal of planning permission granted by development order

## **PART 4**

### **OTHER MATTERS**

### *Promotion and use of mediation etc.*

- 40 Promotion and use of mediation etc.

### *Charges and fees*

- 41 Fees for planning applications etc.

### *Enforcement*

- 42 Fines: increases and duty of court in determining amount
- 43 Liability for expenses under enforcement notice
- 44 Enforcement charters: statement on major developments

### *Training for taking planning decisions*

- 45 Power to impose training requirements: planning authorities

### *Performance of planning authorities*

- 46 Annual report by planning authorities on performance
- 47 National performance monitoring

### *Regulations*

- 48 Regulations

### *Ministerial directions*

- 49 Publication of directions

### *Chief planning officers*

- 50 Chief planning officers

### *National Scenic Areas*

- 51 National Scenic Areas

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*Notice by planning authority of applications for listed building consent*

- 52 Notice by planning authority of applications for listed building consent

*Forestry and woodland strategy*

- 53 Forestry and woodland strategy

**PART 5**

INFRASTRUCTURE LEVY

- 54 Power to provide for levy  
55 Guidance  
56 Interpretation of Part and schedule  
57 Power to change meaning of “infrastructure”  
58 Lapsing of power to provide for levy

**PART 6**

FINAL PROVISIONS

- 59 Ancillary provision  
60 Power to replace descriptions with actual dates  
61 Regulation-making powers  
62 Minor and consequential amendments and repeals  
63 Commencement  
64 Short title

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SCHEDULE 1 — Infrastructure-levy regulations

*General*

- 1 In this schedule, “infrastructure-levy regulations” means regulations under section 54...  
2 This schedule (apart from paragraphs 15(2) and 16) is without...  
3 Infrastructure-levy regulations may make incidental, supplementary, consequential, transitional, transitory or...  
4 Any provision which infrastructure-levy regulations may make may be made...

*Who is liable for what*

- 5 Infrastructure-levy regulations may set out— (a) the kinds of development...

*Relief where relevant planning obligation*

- 6 Infrastructure-levy regulations may make provision to grant relief from liability...

*Local exemptions and discounts*

- 7 Infrastructure-levy regulations may— (a) confer on local authorities the power...

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### *Collection and enforcement*

- 8 Infrastructure-levy regulations may— (a) make provision about the collection of—...

### *Financial penalty for late payment*

- 9 (1) Infrastructure-levy regulations may allow, or require, local authorities to...

### *Stopping development*

- 10 (1) Infrastructure-levy regulations may— (a) empower a local authority to...

### *Remission and repayment*

- 11 Infrastructure-levy regulations may provide for the remission or repayment (with...

### *Appeals*

- 12 Infrastructure-levy regulations may— (a) establish a process for appealing against...

### *Accounting requirements*

- 13 (1) Infrastructure-levy regulations may make provision about the accounts that...

### *Expenditure of levy income*

- 14 (1) Infrastructure-levy regulations may make provision about the particular purposes...

### *Use of planning and development powers*

- 15 (1) Infrastructure-levy regulations may make provision about how any of...

### *Maximum penalties*

- 16 (1) The maximum penalty that infrastructure-levy regulations can specify for...

## SCHEDULE 2 — Minor and consequential amendments and repeals PART 1 — DEVELOPMENT PLANNING

### *Removal of requirement to prepare strategic development plans*

- 1 (1) The Town and Country Planning (Scotland) Act 1997 is...

### *Local development plans*

- 2 (1) The Town and Country Planning (Scotland) Act 1997 is...

### *Delivery programmes*

- 3 (1) The Town and Country Planning (Scotland) Act 1997 is...

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### *Development plan*

- 4 (1) Schedule 1 of the Town and Country Planning (Scotland)...  
PART 2 — MASTERPLAN CONSENT AREAS

### *Masterplan consent area schemes*

- 5 (1) The Town and Country Planning (Scotland) Act 1997 is...  
PART 3 — DEVELOPMENT MANAGEMENT

### *Duration of planning permission*

- 6 (1) The Town and Country Planning (Scotland) Act 1997 is...

### *Schemes of delegation and local review*

- 7 (1) The Town and Country Planning (Scotland) Act 1997 is...

### *Development orders*

- 8 (1) The Town and Country Planning (Scotland) Act 1997 is...  
PART 4 — REGULATIONS  
9 (1) The Town and Country Planning (Scotland) Act 1997 is...

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