



# 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

### 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

*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

*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**

- 1 General  
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...  
5 Who is liable for what  
6 Relief where relevant planning obligation  
7 Local exemptions and discounts  
8 Collection and enforcement  
9 Financial penalty for late payment  
10 Stopping development  
11 Remission and repayment  
12 Appeals  
13 Accounting requirements  
14 Expenditure of levy income  
15 Use of planning and development powers  
16 Maximum penalties

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

- 1 Removal of requirement to prepare strategic development plans  
2 Local development plans  
3 Delivery programmes

- 4 Development plan
  - PART 2 — MASTERPLAN CONSENT AREAS
- 5 Masterplan consent area schemes
  - PART 3 — DEVELOPMENT MANAGEMENT
- 6 Duration of planning permission
- 7 Schemes of delegation and local review
- 8 Development orders
  - PART 4 — REGULATIONS
- 9 (1) The Town and Country Planning (Scotland) Act 1997 is...