



# Planning (Scotland) Act 2019

## 2019 asp 13

### PART 1

#### DEVELOPMENT PLANNING

##### *Development planning*

#### **5 Strategic development: regional spatial strategies**

- (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) Before section 4 insert—

##### **“4ZA Regional spatial strategies**

- (1) A planning authority, or two or more such authorities acting jointly, are to prepare and adopt a regional spatial strategy.
- (2) A regional spatial strategy is a long-term spatial strategy in respect of the strategic development of an area (or areas) which must, in particular—
  - (a) specify the area (or areas) of the planning authority (or authorities) to which it relates (“the region”), and
  - (b) identify, in relation to the region—
    - (i) the need for strategic development,
    - (ii) the outcomes to which the authority (or authorities) consider that strategic development will contribute,
    - (iii) priorities for the delivery of strategic development, and
    - (iv) proposed locations for strategic development, which must be shown in the strategy in the form of a map or diagram.
- (3) Before adopting a regional spatial strategy, a planning authority (or authorities) must—
  - (a) publish, by such means as they consider appropriate—
    - (i) a draft of the strategy,
    - (ii) a summary of the information taken into account in preparing the draft of the strategy, and

*Status: Point in time view as at 08/11/2019.*

*Changes to legislation: Planning (Scotland) Act 2019, Section 5 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (iii) a statement inviting representations in relation to the strategy by a date specified in the statement,
  - (b) as soon as practicable after publishing the documents mentioned in paragraph (a), send a copy of them to—
    - (i) the planning authority (other than one involved in producing the report) for any area in which future development is likely to be significantly impacted by the strategic development to which the strategy is to relate,
    - (ii) the key agencies, and
    - (iii) any other person the planning authority (or authorities) producing the strategy consider appropriate, and
  - (c) otherwise, consult such persons as they consider are likely to have an interest in the strategy.
- (4) As soon as practicable after a strategy under subsection (1) is adopted, the planning authority (or authorities) must—
- (a) publish the strategy by such means as they consider appropriate, and
  - (b) submit it to the Scottish Ministers.
- (5) In this section, “strategic development” means development that is likely to have a significant impact on future development within the area of more than one planning authority.

#### **4ZB Duties to have regard to regional spatial strategies**

- (1) In exercising their functions of preparing, revising or amending the National Planning Framework, the Scottish Ministers must have regard to any adopted regional spatial strategy submitted to them under section 4ZA(4)(b).
- (2) In exercising their functions of preparing, revising or amending a local development plan, a planning authority must have regard to their adopted regional spatial strategy (or strategies) submitted to the Scottish Ministers under section 4ZA(4)(b).

#### **4ZC Regional spatial strategies: first strategy, review and revision**

- (1) A planning authority must adopt a regional spatial strategy under section 4ZA(1) as soon as reasonably practicable after section 5 of the Planning (Scotland) Act 2019 comes into force.
- (2) A planning authority—
  - (a) are to keep their adopted regional spatial strategy (or strategies) under review, and
  - (b) if they consider it appropriate, may at any time prepare and adopt a replacement strategy.
- (3) Without limit to the generality of subsection (2), a planning authority (or authorities) must review their adopted regional spatial strategy (or, if more than one, each adopted strategy) at least once in every period of 10 years beginning with the most recent date on which they—
  - (a) adopted the strategy, or
  - (b) published an explanation under subsection (4)(b).

*Status: Point in time view as at 08/11/2019.*

*Changes to legislation: Planning (Scotland) Act 2019, Section 5 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) Following such a review, a planning authority are to—
  - (a) prepare and adopt a replacement regional spatial strategy, or
  - (b) publish an explanation of why they have decided not to do so.
- (5) Section 4ZA(2) to (4) and sections 4ZB and 4ZE apply to a replacement regional spatial strategy as they apply in relation to the strategy being replaced (and references in this Part to a regional spatial strategy include references to such a replacement strategy).

#### **4ZD Directions to prepare or review regional spatial strategies**

- (1) The Scottish Ministers may direct a planning authority, or two or more such authorities, to—
  - (a) prepare and adopt a regional spatial strategy under section 4ZA(1) in relation to a region specified in the direction, or
  - (b) review an adopted regional spatial strategy.
- (2) A direction under subsection (1) may require the planning authority (or authorities) to take into account such matters (if any) as are specified in the direction when preparing or reviewing the strategy.
- (3) Where a direction under this section requires two or more planning authorities to prepare and adopt a regional spatial strategy, they are to co-operate with one another.

#### **4ZE Guidance for regional spatial strategies**

- (1) The Scottish Ministers may issue guidance in relation to the preparation, adoption, review and content of regional spatial strategies.
- (2) A planning authority must have regard to any guidance issued under subsection (1) when preparing or adopting a regional spatial strategy.
- (3) Before issuing guidance under this section, the Scottish Ministers must consult—
  - (a) each planning authority, and
  - (b) such other persons as they consider appropriate (if any).
- (4) The Scottish Ministers must make guidance issued under subsection (1) publicly available.
- (5) The power under subsection (1) to issue guidance includes the power to—
  - (a) issue guidance that varies guidance issued under that subsection, and
  - (b) revoke guidance issued under that subsection.”.

#### **Commencement Information**

**II** S. 5 in force at 8.11.2019 for specified purposes by [S.S.I. 2019/314](#), [reg. 2](#), [sch.](#)

**Status:**

Point in time view as at 08/11/2019.

**Changes to legislation:**

Planning (Scotland) Act 2019, Section 5 is up to date with all changes known to be in force on or before 04 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.