



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

[^{F1} PART 2 **S**

DEVELOPMENT PLANS

Supplementary provisions

[^{F123} **Disregarding of representations with respect to development authorised by or under other enactments** **S**

- (1) Where subsection (2) applies—
- ^{F2}(a)
 - (b) neither the Scottish Ministers nor a planning authority need consider representations with respect to—
 - ^{F3}(i)
 - (ii) a proposed local development plan.
- (2) This subsection applies where it appears to the Scottish Ministers or the authority, as the case may be, that those representations are in substance representations with respect to things done or proposed to be done in pursuance of—
- (a) an order or scheme under section 5, 7, 9 or 12 of the Roads (Scotland) Act 1984 (c. 54) (trunk road orders, special road schemes and orders for other public roads), or
 - (b) an order under section 1 of the New Towns (Scotland) Act 1968 (c. 16) (designation of sites of new towns).]

Textual Amendments

- F1** Pt. 2 substituted (19.5.2008 for specified purposes, 25.6.2008 for specified purposes, 28.2.2009 in so far as not already in force) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 2, 59(2)** (with savings)

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 23 is up to date with all changes known to be in force on or before 22 September 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) [View outstanding changes](#)

and transitional provisions in S.S.I. 2008/165, arts. 1, 2 and S.S.I. 2008/427, arts. 1(1), 2-5); S.S.I. 2008/164, art. 2(1)(2), **sch.**; S.S.I. 2009/70, art. 2, **sch.**

F2 S. 23(1)(a) and word repealed (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(5)**; S.S.I. 2023/10, reg. 3(2)(e)

F3 S. 23(1)(b)(i) and word repealed (19.5.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 2(6)**; S.S.I. 2023/100, reg. 2(2)(f) (with reg. 4)

Changes to legislation:

Town and Country Planning (Scotland) Act 1997, Section 23 is up to date with all changes known to be in force on or before 22 September 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)