



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

[^{F1} PART 2

DEVELOPMENT PLANS

Supplementary provisions

[^{F124} Meaning of “development plan”

- [^{F2}(1) For the purposes of this Act, any other enactment relating to town and country planning and the Land Compensation (Scotland) Act 1963, the development plan for an area is to be taken as consisting of the provisions of—
- (a) the National Planning Framework,
 - (b) any strategic development plan for the time being applicable to the area, together with—
 - (i) the Scottish Ministers' notice of approval of that plan, and
 - (ii) any supplementary guidance issued in connection with that plan, and
 - (c) any local development plan for the time being applicable to the area.
- (2) A reference in subsection (1) to provisions of a framework or plan is to be construed as a reference to so much of the provisions as are applicable to the area.
- (3) In the event of any incompatibility between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.
- (4) For the purposes of subsection (3)—
- (a) the date of the National Planning Framework is the latest date on which it was published under section 3CA(7),
 - (b) the date of a local development plan is the date on which it was constituted under section 20.]

Status: Point in time view as at 12/02/2023.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 24 is up to date with all changes known to be in force on or before 27 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)

(5) This section has effect subject to Schedule 1 (old development plans).]

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 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. 24\(1\)-\(4\)](#) substituted (12.2.2023) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 13(2), 63(2)** (as amended (18.12.2019) by [S.S.I. 2019/424](#), regs. 1, 2(3)(a)); [S.S.I. 2023/10](#), reg. 3(2)(c)

Status:

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