



Climate Change (Scotland) Act 2009

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PART 5

OTHER CLIMATE CHANGE PROVISIONS

CHAPTER 3

ENERGY EFFICIENCY

Development plans

72 Development plans: inclusion of greenhouse gas emissions policies

After section 3E of the Town and Country Planning (Scotland) Act 1997 (c. 8) insert—

“3F Greenhouse gas emissions policies

A planning authority, in any local development plan prepared by them, must include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.”.

73 Annual report on operation of section 72

(1) The Scottish Ministers must—

- (a) no later than 1 year after the day on which section 72 comes into force; and
- (b) annually thereafter,

lay before the Scottish Parliament a report on the operation of the requirement on relevant planning authorities to include policies within development plans under that section, including an assessment of whether those requirements have contributed effectively to the reduction of greenhouse gas emissions from developments.

Status: This is the original version (as it was originally enacted).

- (2) The fourth and subsequent reports under subsection (1) must include an assessment of the continuing need or otherwise for the requirement on relevant planning authorities to include policies within development plans; and if the requirement is considered by the Scottish Ministers to be no longer necessary, the Scottish Ministers may, by order, repeal section 3F of the Town and Country Planning (Scotland) Act 1997 and this section.