



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

Changes to legislation: Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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

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

Changes to legislation: Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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

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

Changes to legislation: Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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

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

SCHEDULE 1 — Infrastructure-levy regulations

General

- 1 In this schedule, “infrastructure-levy regulations” means regulations under section 54...
 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...

Who is liable for what

- 5 Infrastructure-levy regulations may set out— (a) the kinds of development...

Relief where relevant planning obligation

- 6 Infrastructure-levy regulations may make provision to grant relief from liability...

Local exemptions and discounts

- 7 Infrastructure-levy regulations may— (a) confer on local authorities the power...

Changes to legislation: Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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

Collection and enforcement

- 8 Infrastructure-levy regulations may— (a) make provision about the collection of—...

Financial penalty for late payment

- 9 (1) Infrastructure-levy regulations may allow, or require, local authorities to...

Stopping development

- 10 (1) Infrastructure-levy regulations may— (a) empower a local authority to...

Remission and repayment

- 11 Infrastructure-levy regulations may provide for the remission or repayment (with...

Appeals

- 12 Infrastructure-levy regulations may— (a) establish a process for appealing against...

Accounting requirements

- 13 (1) Infrastructure-levy regulations may make provision about the accounts that...

Expenditure of levy income

- 14 (1) Infrastructure-levy regulations may make provision about the particular purposes...

Use of planning and development powers

- 15 (1) Infrastructure-levy regulations may make provision about how any of...

Maximum penalties

- 16 (1) The maximum penalty that infrastructure-levy regulations can specify for...

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

Removal of requirement to prepare strategic development plans

- 1 (1) The Town and Country Planning (Scotland) Act 1997 is...

Local development plans

- 2 (1) The Town and Country Planning (Scotland) Act 1997 is...

Delivery programmes

- 3 (1) The Town and Country Planning (Scotland) Act 1997 is...

Changes to legislation: Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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

Development plan

- 4 (1) Schedule 1 of the Town and Country Planning (Scotland)...
PART 2 — MASTERPLAN CONSENT AREAS

Masterplan consent area schemes

- 5 (1) The Town and Country Planning (Scotland) Act 1997 is...
PART 3 — DEVELOPMENT MANAGEMENT

Duration of planning permission

- 6 (1) The Town and Country Planning (Scotland) Act 1997 is...

Schemes of delegation and local review

- 7 (1) The Town and Country Planning (Scotland) Act 1997 is...

Development orders

- 8 (1) The Town and Country Planning (Scotland) Act 1997 is...
PART 4 — REGULATIONS
9 (1) The Town and Country Planning (Scotland) Act 1997 is...

Changes to legislation:

Planning (Scotland) Act 2019 is up to date with all changes known to be in force on or before 18 June 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)