

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Planning (Scotland) Act 2019, Paragraph 5 is up to date with all changes known to be in force on or before 03 October 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

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PROSPECTIVE

PART 2

MASTERPLAN CONSENT AREAS

Masterplan consent area schemes

- 5 (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) In section 27(3)—
- (a) after “54(4),” insert “ 54B(1)(b), 54D(2), ”,
 - (b) after “61” insert “ and paragraph 20 of schedule 5A ”.
- (3) In section 29(1)—
- (a) the word “or” at the end of paragraph (c) is repealed, and
 - (b) after paragraph (c), insert—
“(ca) by a masterplan consent area scheme, or”.
- (4) In section 36(1)—
- (a) the word “and” at the end of paragraph (c) is repealed, and
 - (b) after paragraph (c), insert—
“(ca) masterplan consent area schemes relating to parts of the authority's area, and”.
- (5) In section 58(4)—
- (a) the word “or” at the end of paragraph (f) is repealed, and
 - (b) after paragraph (f), insert—
“(fa) any planning permission granted by a masterplan consent area scheme, or”.
- (6) In section 61(1)—
- (a) the word “or” at the end of paragraph (b) is repealed, and
 - (b) after paragraph (b), insert—
“(ba) development has been begun in accordance with planning permission under a masterplan consent area scheme but has not been completed by the time that the scheme ceases to have effect, or”.
- (7) In section 183(1)—
- (a) the word “and” at the end of paragraph (a) is repealed, and
 - (b) after paragraph (b) insert—
“(c) with respect to masterplan consent areas.”.
- (8) In section 237(1), after paragraph (b) insert—
“(ba) a masterplan consent area scheme or any alteration of such a scheme.”.

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(9) In section 238—

(a) in subsection (3)—

(i) for the words from “a simplified” to “230”, substitute “ any of the following ”,

(ii) at the end insert—

“(a) a simplified planning zone scheme or an alteration of such a scheme,

(b) a masterplan consent area scheme or an alteration of such a scheme,

(c) an order under section 202, 203, 206, 207, 208 or 230.”,

(b) in subsection (5), after paragraph (b) insert—

“(ba) in the case of an application by virtue of subsection (3) in respect of a masterplan consent area scheme or an alteration of such a scheme, the date that notice is first published (in accordance with regulations under paragraph 22 of schedule 5A) that the scheme has been made or (as the case may be) altered,”,

(c) after subsection (6) insert—

“(7) In their application to masterplan consent area schemes and their alteration, subsections (1) and (2) have effect as if, instead of Part II, they referred to Part III and schedule 5A.”.

(10) In section 277(1), after the definition of “major developments” insert—

““masterplan consent area scheme” is to be construed in accordance with sections 54A to 54E,”.

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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](#)