



Heat Networks (Scotland) Act 2021

2021 asp 9

PART 2

HEAT NETWORK CONSENT

Heat network consent and planning permission

PROSPECTIVE

45 Combining applications to local authorities for heat network consent and planning permission

- (1) This section applies where—
 - (a) a person who proposes to construct a heat network must first make both—
 - (i) a heat network consent application in relation to the construction of the heat network, and
 - (ii) an application for planning permission in respect of the construction of the heat network, and
 - (b) both applications must be made to a local authority as the appropriate consent authority (in relation to heat network consent application) and the planning authority (in relation to the application for planning permission).
- (2) Both of the applications are to be considered by the local authority together but this is subject to any provision made in any regulations under subsection (3).
- (3) The Scottish Ministers may by regulations—
 - (a) provide that such procedural provisions of this Act as are specified in the regulations are not to apply to the person's heat network consent application,
 - (b) provide that such procedural provisions of, or made under, the Town and Country Planning (Scotland) Act 1997 as are specified in the regulations are to apply to the heat network consent application instead,
 - (c) modify provisions of, or made under, the Town and Country Planning (Scotland) Act 1997 as they apply to the heat network consent application by virtue of paragraph (b).

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 45. (See end of Document for details)

(4) In this section—

“planning authority” has the meaning given in section 1 of the Town and Country Planning (Scotland) Act 1997,

“planning permission” means planning permission under Part 3 of that Act,

“procedural provisions” means any provisions for or in connection with the procedure for determining an application.

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Heat Networks (Scotland) Act 2021, Section 45.