



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

[^{F1} PART 2

DEVELOPMENT PLANS

Local development plans

[^{F16} Preparation and monitoring of local development plans: general

- (1) A planning authority are—
 - (a) as soon as practicable after the coming into force of section 2 of the Planning etc. (Scotland) Act 2006 (asp 17) and thereafter—
 - (i) whenever required to do so by the Scottish Ministers, or
 - (ii) subject to sub-paragraph (i), at intervals of no more than [^{F2}10] years, to prepare local development plans for all parts of their district, and
 - (b) to keep under review the plans so prepared.
- (2) In preparing a local development plan the planning authority—
 - (a) are to take into account—
 - [^{F3}(i)] the National Planning Framework[^{F4}, and
 - (ii) any local outcomes improvement plan (within the meaning of section 6 of the Community Empowerment (Scotland) Act 2015) for the part of their district to which the local development plan relates,]
 - [^{F5}(iii) any registered local place plan (see schedule 19) that is for the part of their district to which the local development plan relates,]
 - [^{F6}(aa) are to have regard to the desirability of preserving disused railway infrastructure for the purpose of ensuring its availability for possible future public transport requirements,

Changes to legislation: *Town and Country Planning (Scotland) Act 1997, Section 16 is up to date with all changes known to be in force on or before 16 April 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) View outstanding changes*

- (ab) are to have regard to the list published under section 16E of persons seeking to acquire land in the authority's area for self-build housing,]
 - (b) are to have regard to such information and considerations as may be prescribed, and
 - (c) may have regard to such other information and considerations as appear to them to be relevant.
- (3) Different local development plans may be prepared for different purposes for the same part of any district.
- (4) Parts of districts for which local development plans are prepared for some purpose need not have the same boundaries as parts for which they are prepared for another purpose.
- (5) Two (or more) planning authorities may prepare a joint local development plan extending to parts of each (or all) of their districts.
- ^{F7}(6)
- (7) Where a planning authority fail to comply with subsection (1)(a), the Scottish Ministers may direct them to prepare a report as to the reasons for such failure and to submit that report to the Scottish Ministers.
- (8) In carrying out their duty under paragraph (b) of subsection (1), a planning authority are in particular to monitor—
- (a) changes in the characteristics referred to in section 15(5)(a), and
 - (b) the impact of the policies and proposals contained within the local development plans.
- ^{F8}(9)
- ^{F8}(10)]

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** Word in s. 16(1)(a)(ii) substituted (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 7(4)(a)**, 63(2); [S.S.I. 2019/314](#), reg. 2, **sch.**
- F3** Words in s. 16(2)(a) renumbered as s. 16(2)(a)(i) (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 7(4)(b)(i)**, 63(2); [S.S.I. 2019/314](#), reg. 2, **sch.**
- F4** S. 16(2)(a)(ii) and word inserted (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 7(4)(b)(ii)**, 63(2); [S.S.I. 2019/314](#), reg. 2, **sch.**
- F5** S. 16(2)(a)(iii) inserted (8.11.2019 for specified purposes, 20.5.2023 in so far as not already in force) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 14(4)**, 63(2); [S.S.I. 2019/314](#), reg. 2; [S.S.I. 2023/100](#), reg. 3 (with reg. 4)
- F6** S. 16(2)(aa)(ab) inserted (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 7(4)(c)**, 63(2); [S.S.I. 2019/314](#), reg. 2, **sch.**
- F7** S. 16(6) repealed (12.2.2023) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), s. 63(2), **sch. 2 para. 1(2)**; [S.S.I. 2023/10](#), reg. 3(2)(e)
- F8** S. 16(9)(10) repealed (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 7(4)(d)**, 63(2); [S.S.I. 2019/314](#), reg. 2, **sch.**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)