



Town and Country Planning (Scotland) Act 1947

1947 CHAPTER 53

PART II

PLANNING AND CONTROL OF DEVELOPMENT, &C.

Development plans.

3 Surveys of planning districts and preparation of development plans.

- (1) As soon as may be after the appointed day, every local planning authority shall carry out a survey: of their district, and shall, not later than three years after the appointed day, or within such; extended period as the Secretary of State may in any particular case allow, submit to the Secretary of State a report of the survey together with a plan (hereinafter called a "development plan") indicating the manner in which they propose that land in that district should be used (whether by the carrying out thereon of development or otherwise) and the stages by which any such development should be carried out.
- (2) Subject to the provisions of any regulations made under this Act for regulating the form and content of development plans, any such plan shall include such maps and such descriptive matter as may be necessary to illustrate the proposals aforesaid with such degree of particularity as may be appropriate to different parts of the district; and any such plan may in particular—
 - (a) define the sites of proposed roads, public and other buildings and works, airfields, parks, pleasure grounds, nature reserves and other open spaces, or allocate areas of land for use for agricultural, residential, industrial or other purposes of any class specified in the plan;
 - (b) designate as land subject to compulsory acquisition by any Minister, local authority or statutory undertakers any land allocated by the plan for the purposes of any of their functions (including any land which that Minister

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- or authority or those under takers are or could be authorised to acquire compulsorily under any enactment other than this Act);
- (c) designate as land subject to compulsory acquisition by the appropriate local authority—
- (i) any land comprised in "fin area denned by the plan as an area of comprehensive development (including any land therein which is allocated by the plan for any such purpose as is mentioned in paragraph (b) of this subsection);
 - (ii) any other land which, in the opinion of the local planning authority, ought to be subject to compulsory acquisition for the purpose of securing its use in the manner proposed by the plan.
- (3) For the purposes of this section a development plan may define as an area of comprehensive development any area which in the opinion of the local planning authority should be developed or-redeveloped as a whole for any one or more of the following purposes, that is to say, for the purpose of dealing satisfactorily with extensive war damage or conditions of bad layout or obsolete development, or for the purpose of providing for the relocation of population or industry or the replacement of open space in the course of the development or redevelopment of any other area, or for any other purpose specified in the plan; and land may be included in any area so defined, and designated as subject to compulsory acquisition in accordance with the provisions of subsection (2) of this section, whether or not provision is made by the plan for the development or redevelopment of that particular land.
- (4) The Secretary of State may approve any development plan submitted to him under this section either without modification or subject to such modifications as he considers expedient:
- Provided that—
- (a) he shall not approve a development plan which designates any land as subject to compulsory acquisition as aforesaid if it appears to him that the acquisition is not likely to take place within ten years from the date on which the plan is approved, or in the case of agricultural land as defined in subsection (4) of section forty-nine of this Act within seven years from that date;
 - (b) he shall not, except with the consent of all persons interested, approve a development plan subject to a modification designating as subject to compulsory acquisition any land not so designated in the plan as submitted to him;
 - (c) where a development plan as submitted to the Secretary of State designates as subject to compulsory acquisition any such land as is mentioned in paragraph 9 of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947 (which relates to land of local authorities and statutory undertakers and inalienable land of the National Trust for Scotland) then, if objection to the proposed designation is duly made by the local authority or statutory undertakers or the National Trust for Scotland, as the case may be, and is not withdrawn, the land shall not be so designated except in pursuance of an order made by the Secretary of State (or, in the case of land being operational land of statutory undertakers, by the Secretary of State and the appropriate Minister) and any such order shall be subject to special parliamentary procedure.
- (5) At any time before a development plan with respect to the whole of the district of a local planning authority has been approved under this section, that authority may,

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with the consent of the Secretary of State, and shall if so required by directions of the Secretary of State, prepare and submit to him a development plan relating to any part of that district, and the foregoing provisions of this section shall apply in relation to any such plan as they apply in relation to a plan relating to the whole of that district.