



# Planning etc. (Scotland) Act 2006

## 2006 asp 17

### PART 3

#### DEVELOPMENT MANAGEMENT

##### *Meaning of development*

#### **5 Hierarchy of developments for purposes of development management etc.**

After section 26AA of the principal Act (inserted into that Act by section 4 of this Act) insert—

##### **“26A Hierarchy of developments**

- (1) For the purposes of the planning Acts, a development belongs to one of the following categories—
  - (a) the first (designated under section 3A(4)(b)), to be known as “national developments”,
  - (b) the second, to be known as “major developments”, and
  - (c) the third, to be known as “local developments”.
- (2) The Scottish Ministers are by regulations to describe classes of development other than national developments and assign each class to one or other of the categories mentioned in paragraphs (b) and (c) of subsection (1).
- (3) But the Scottish Ministers may, as respects a particular local development, direct that the development is to be dealt with as if (instead of being a local development) it were a major development.
- (4) Different provision may be made under subsection (2) for different areas.
- (5) Regulations under subsection (2) are not made unless a draft of the instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.”.

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**Changes to legislation:** There are currently no known outstanding effects for the Planning etc. (Scotland) Act 2006, Section 5. (See end of Document for details)

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#### Commencement Information

- I1** S. 5 in force at 12.12.2008 for specified purposes by S.S.I. 2008/411, **art. 2(2)(3)(a)**
- I2** S. 5 in force at 6.4.2009 in so far as not already in force by S.S.I. 2009/100, **art. 2, Sch.**

**Changes to legislation:**

There are currently no known outstanding effects for the Planning etc. (Scotland) Act 2006, Section 5.