SCOTTISH STATUTORY INSTRUMENTS

2018 No. 201

The Community Right to Buy (Abandoned, Neglected or Detrimental Land) (Eligible Land, Regulators and Restrictions on Transfers and Dealing) (Scotland) Regulations 2018

Eligible land

Designation or classification of land

4.—(1) The matters referred to in regulation 2(2)(b) are—

(a) whether the land, or any part of the land, is or forms part of a nature reserve or conservation area;

(b) whether the land, or any part of the land, is a special site;

(c) whether any building or other structure on the land is a listed building or scheduled monument;

(d) any policies or proposals in a local development plan or associated guidance relevant to the land or any part of the land;

(e) any policies or proposals in a strategic development plan or associated guidance relevant to the land or any part of the land;

(f) any policies or proposals in the National Planning Framework 3 relevant to the land or any part of the land(**1**).

(2) In this regulation—

"conservation area" means an area designated as a conservation area under section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (designation of conservation areas)(**2**);

"listed building" has the meaning given in section 1(4) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (listing of buildings of special architectural or historic interest)(**3**);

"local development plan" has the meaning given in section 15(1) of the Town and Country Planning (Scotland) Act 1997(**4**);

"nature reserve" has the meaning given in section 15 of the National Parks and Access to the Countryside Act 1949 (meaning of "nature reserve")(**5**);

(**1**) Published 23rd June 2014. ISBN. 9781784125424. The National Planning Framework 3 can be obtained from the Scottish Government website: http://www.gov.scot/Publications/2014/06/3539.

(**2**) 1997 c.9. Section 61 was amended by paragraph 13 of schedule 3 of the Historic Environment Scotland Act 2014 asp 19.

(**3**) 1997 c.9. Section 1(4) was amended by section 22(2)(a) and paragraph 2(d) of schedule 3 of the Historic Environment Scotland Act 2014 asp 19.

(**4**) 1997 c.8. Part II was substituted by section 2 of the Planning etc. (Scotland) Act 2006 asp 17.

(**5**) 1949 c.97. Section 15 was substituted by paragraph 12 of schedule 11 of the Natural Environment and Rural Communities Act 2006 (c.16) and amended by S.S.I. 2012/228.

"scheduled monument" means a monument that is included in the schedule of listed monuments maintained by Historic Environment Scotland under section 1(1) of the Ancient Monuments and Archaeological Areas Act 1979 (schedule of monuments)(**6**);

"special site" means a site designated as a special site under section 78C of the Environmental Protection Act 1990 (identification and designation of special sites)(**7**); and

"strategic development plan" has the meaning given in section 7(1) of the Town and Country Planning (Scotland) Act 1997(**8**).

(**6**) 1979 c.46. Section 1 was amended by paragraph 2 of schedule 2 of the Historic Environment Scotland Act 2014 asp 19.
(**7**) 1990 c.43. Part IIA was inserted by section 57 of the Environment Act 1995 (c.25) and amended by S.S.I. 2005/658.
(**8**) 1997 c.8. Part II was substituted by section 2 of the Planning etc (Scotland) Act 2006 asp 17.