

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes transitional and savings provisions in connection with the commencement of sections 11 and 54(19) of the Planning etc. (Scotland) Act 2006 (“the 2006 Act”). Article 2 provides that it will only be necessary to comply with the pre application consultation requirements contained in the new sections 35A and 35B of the Town and Country Planning (Scotland) Act 1997 (“the Act”) introduced by section 11 of the 2006 Act where an application for planning permission is made on or after 3rd August 2009.

Article 3 saves the current provisions of paragraphs 1 and 2 of schedule 14 of the Act for the purposes of Chapter 2 of Part 5 of the Act relating to blighted land. These paragraphs refer to structure and local plans which are to be replaced by strategic development plans and local development plans following amendments made to the Act by section 2 of the 2006 Act.