



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART IX

PLANNING

Development control

179 Reference of applications to regional planning authority

- (1) A regional planning authority shall, in relation to district planning authorities within their district, have the same powers as are conferred on the Secretary of State by subsections (1) to (5) of section 32 of the Act of 1972 where—
 - (a) the proposed development does not conform to a structure plan approved by the Secretary of State; or
 - (b) the proposed development raises a new planning issue of general significance to the district of the regional planning authority; and
 - (c) the application concerned is not subject to a direction given by the Secretary of State under the said section 32.
- (2) A district planning authority may appeal to the Secretary of State against any directions given to them by virtue of this section, and the Secretary of State, whose decision shall be final, may determine the appeal in accordance with section 177(4) of this Act.

180 Appeals against planning decisions

Where an appeal is made to the Secretary of State under section 33 of the Act of 1972 (appeals against planning decisions) the applicant shall, at the same time as he serves notice under subsection (2) of that section, serve a copy of the notice on the regional planning authority concerned, and that authority may take part in the appeal proceedings whether by way of written submissions, or participating in any inquiry, or otherwise.

181 Powers of regional planning authorities regarding orders under section 42 or 49 of Act of 1972

- (1) Where a district planning authority propose to make an order under section 42 or 49 of the Act of 1972 (revocation etc. of planning permission and discontinuance of use, or alteration or removal of buildings or works), they shall give notice of the proposals to their regional planning authority who may make representations or objections as respects the proposed order to the Secretary of State.
- (2) Where, after consultation with the district planning authority concerned, a regional planning authority are of the opinion that a structure plan approved by the Secretary of State would be materially prejudiced if such an order as aforesaid were not made, they may themselves make such an order, and in relation to that order the provisions of the said section 42 or 49 shall, with any necessary modifications, apply to the regional planning authority as they apply to the district planning authority concerned.