



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

Simplified planning zones

49 Simplified planning zones.

- (1) A simplified planning zone is an area in respect of which a simplified planning zone scheme is in force.
- (2) The adoption or approval of a simplified planning zone scheme has effect to grant in relation to the zone, or any part of it specified in the scheme, planning permission—
 - (a) for development specified in the scheme, or
 - (b) for development of any class so specified.
- (3) Planning permission under a simplified planning zone scheme may be unconditional or subject to such conditions, limitations or exceptions as may be specified in the scheme.

50 [F1 Alteration of simplified planning zone schemes].

- ^{F2}(1)
- (2) [F3 A planning authority may at any time decide—
 - (b) to alter a [F4 simplified planning zone] scheme adopted by them, or
 - (c) with the consent of the Secretary of State, to alter a scheme approved by him.
- (3) Schedule 5 has effect with respect to the ^{F5}... alteration of simplified planning zone schemes and other related matters.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Cross Heading: Simplified planning zones is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 50 heading substituted (1.4.2024) by Planning (Scotland) Act 2019 (asp 13), ss. 16(3), 63(2); S.S.I. 2024/79, reg. 2(1)(2)(c) (with reg. 3)
- F2** S. 50(1) repealed (1.4.2024) by Planning (Scotland) Act 2019 (asp 13), ss. 16(2)(a), 63(2); S.S.I. 2024/79, reg. 2(1)(2)(c) (with reg. 3)
- F3** Words in s. 50(2) substituted (1.4.2024) by Planning (Scotland) Act 2019 (asp 13), ss. 16(2)(b)(i), 63(2); S.S.I. 2024/79, reg. 2(1)(2)(c) (with reg. 3)
- F4** Words in s. 50(2)(b) inserted (1.4.2024) by Planning (Scotland) Act 2019 (asp 13), ss. 16(2)(b)(ii), 63(2); S.S.I. 2024/79, reg. 2(1)(2)(c) (with reg. 3)
- F5** Words in s. 50(3) repealed (1.4.2024) by Planning (Scotland) Act 2019 (asp 13), ss. 16(2)(c), 63(2); S.S.I. 2024/79, reg. 2(1)(2)(c) (with reg. 3)

51 Simplified planning zone schemes: conditions and limitations on planning permission.

- (1) The conditions and limitations on planning permission which may be specified in a simplified planning zone scheme may include—
 - (a) conditions or limitations in respect of all development permitted by the scheme or in respect of particular descriptions of development so permitted, and
 - (b) conditions or limitations requiring the consent, agreement or approval of the planning authority in relation to particular descriptions of permitted development.
- (2) Different conditions or limitations may be specified for different cases or classes of case.
- (3) Nothing in a simplified planning zone scheme shall affect the right of any person—
 - (a) to do anything not amounting to development, or
 - (b) to carry out development for which planning permission is not required or for which permission has been granted otherwise than by the scheme.
- (4) No limitation or restriction subject to which permission has been granted otherwise than under the scheme shall affect the right of any person to carry out development for which permission has been granted under the scheme.

52 Duration of simplified planning zone scheme.

- (1) A simplified planning zone scheme shall take effect on the date of its adoption or approval and shall cease to have effect at the end of the period of 10 years beginning with that date.
- (2) When the scheme ceases to have effect planning permission under it shall also cease to have effect except in a case where the development authorised by it has been begun.

53 Alteration of simplified planning zone scheme.

- (1) This section applies where alterations to a simplified planning zone scheme are adopted or approved.

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- (2) The adoption or approval of alterations providing for the inclusion of land in the simplified planning zone has effect to grant in relation to that land, or such part of it as is specified in the scheme, planning permission for development so specified or of any class so specified.
- (3) The adoption or approval of alterations providing for the grant of planning permission has effect to grant such permission in relation to the simplified planning zone, or such part of it as is specified in the scheme, for development so specified or development of any class so specified.
- (4) The adoption or approval of alterations providing for the withdrawal or relaxation of conditions, limitations or restrictions to which planning permission under the scheme is subject has effect to withdraw or relax the conditions, limitations or restrictions immediately.
- (5) The adoption or approval of alterations providing for—
 - (a) the exclusion of land from the simplified planning zone,
 - (b) the withdrawal of planning permission, or
 - (c) the imposition of new or more stringent conditions, limitations or restrictions to which planning permission under the scheme is subject,has effect to withdraw permission, or to impose the conditions, limitations or restrictions, with effect from the end of the period of 12 months beginning with the date of the adoption or approval.
- (6) The adoption or approval of alterations to a scheme does not affect planning permission under the scheme in any case where the development authorised by it has been begun.

54 Exclusion of certain descriptions of land or development.

- (1) The following descriptions of land may not be included in a simplified planning zone—
 - (a) land in a conservation area;
 - (b) land in a National Scenic Area;
 - (c) land identified in the development plan for the area as part of a green belt;
 - [^{F6}(d) land in a site of special scientific interest;
 - (e) land in respect of which a nature conservation order or land management order made under Part 2 of the Nature Conservation (Scotland) Act 2004 (asp 6) has effect;]
- (2) Where land included in a simplified planning zone becomes land of a description mentioned in subsection (1), that subsection does not have effect to exclude it from the zone.
- (3) The Secretary of State may by order provide that no simplified planning zone scheme shall have effect to grant planning permission—
 - (a) in relation to an area of land specified in the order or to areas of land of a description so specified, or
 - (b) for development of a description specified in the order.
- (4) An order under subsection (3) has effect to withdraw such planning permission under a simplified planning zone scheme already in force with effect from the date on which

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the order comes into force, except in a case where the development authorised by the permission has been begun.

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Textual Amendments

- F6** S. 54(1)(d)(e) substituted for s. 54(1)(d) (29.11.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#), s. 59(2), **Sch. 7 para. 12(1)** (with s. 55(2)); S.S.I. 2004/495, art. 2

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)