

# Climate Change (Scotland) Act 2009

## 2009 asp 12

### PART 5

#### OTHER CLIMATE CHANGE PROVISIONS

### CHAPTER 3

#### ENERGY EFFICIENCY

#### *Development plans*

#### **72 Development plans: inclusion of greenhouse gas emissions policies**

After section 3E of the Town and Country Planning (Scotland) Act 1997 (c. 8) insert—

#### **“3F Greenhouse gas emissions policies**

A planning authority, in any local development plan prepared by them, must include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.”.

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#### **Commencement Information**

**II** S. 72 in force at 1.4.2010 by [S.S.I. 2009/341](#), [art. 2\(3\)](#)

#### **73 Annual report on operation of section 72**

(1) The Scottish Ministers must—

- (a) no later than 1 year after the day on which section 72 comes into force; and
- (b) annually thereafter,

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**Changes to legislation:** There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Development plans. (See end of Document for details)

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lay before the Scottish Parliament a report on the operation of the requirement on relevant planning authorities to include policies within development plans under that section, including an assessment of whether those requirements have contributed effectively to the reduction of greenhouse gas emissions from developments.

- (2) The fourth and subsequent reports under subsection (1) must include an assessment of the continuing need or otherwise for the requirement on relevant planning authorities to include policies within development plans; and if the requirement is considered by the Scottish Ministers to be no longer necessary, the Scottish Ministers may, by order, repeal section 3F of the Town and Country Planning (Scotland) Act 1997 and this section.

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**Commencement Information**

**I2** S. 73 in force at 1.4.2010 by [S.S.I. 2009/341](#), **art. 2(3)**

**Changes to legislation:**

There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009,  
Cross Heading: Development plans.