

# **PLANNING (SCOTLAND) ACT 2019**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE ACT**

#### **PART 2 – MASTERPLAN CONSENT AREAS**

##### *Section 15: Masterplan consent area schemes*

##### **Interpretation of provisions about schemes**

##### *Schedule 5A of the 1997 Act: Masterplan consent areas*

##### *Part 5: Further powers of Scottish Ministers*

##### *Chapter 1: Excluding kinds of development from schemes*

123. Paragraph 19 gives the Scottish Ministers the power to make regulations setting out types of development for which schemes may not grant authorisation. These restrictions can be imposed by virtue of the development being development of land or a type of land that is specified, or by describing the type of development but, as set out in subparagraph 19(3), these two types are not to be seen as the only ways in which types of development to be restricted can be made subject to the regulations.
124. Paragraph 20 covers circumstances where there is an existing scheme in place which has authorised a kind of development that is subsequently excluded from being able to be included in schemes as a result of regulations made under paragraph 19. The regulations will include a prescribed date. Development that is started before that prescribed date will not be affected by the restriction in the new regulations, and will remain authorised by the scheme. However, the scheme will cease to grant authorisation for such development from the prescribed date.