

Changes to legislation: Planning (Scotland) Act 2019, Cross Heading: Development plan is up to date with all changes known to be in force on or before 25 July 2023. 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

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1

DEVELOPMENT PLANNING

Development plan

- 4 (1) Schedule 1 of the Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) For paragraph 1 substitute—
- “1 In this schedule “old development plan” means—
- (a) a local plan,
 - (b) a strategic development plan,
 - (c) supplementary guidance.”.

(3) In paragraph 2, for “that section” substitute “ section 13 of the Planning (Scotland) Act 2019 ”

(4) Paragraphs 3 and 5, and the italic headings immediately preceding them, are repealed.

(5) For paragraph 6 substitute—

“6 On the publication of the revised National Planning Framework under [F1section 3CA(7)] after the coming into force of section 13 of the Planning (Scotland) Act 2019, all strategic development plans and any supplementary guidance issued in connection with them cease to have effect.

6A On the constitution of a local development plan for an area under section 20 after the coming into force of section 13 of the Planning (Scotland) Act 2019—

 - (a) so much of any local plan in force by virtue of paragraph 2 as relates to the area to which the plan so adopted relates ceases to have effect, and
 - (b) any supplementary guidance issued in connection with a local development plan for that area ceases to have effect.”.

(6) The italic heading immediately preceding paragraph 6 becomes “ Discontinuance of old development plans ”.

(7) For paragraph 7 substitute—

“7 The Scottish Ministers may by regulations provide that any of the provisions of an old development plan are to continue in force in relation to an area despite paragraphs 6 and 6A.”

(8) In paragraph 8, for the word “a” where first occurring substitute “ an old ”.

(9) In paragraph 9, the words “and the strategic development planning authority for any strategic development plan area,” are repealed.

(10) For paragraph 10, substitute—

“10 In this schedule—

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“local plan” is to be construed in accordance with section 11 as that section applied immediately before the coming into force of the Planning etc. (Scotland) Act 2006,

“strategic development plan” is to be construed in accordance with section 7 as it applied immediately before the coming into force of section 6 of the Planning (Scotland) Act 2019,

“supplementary guidance” means guidance issued under section 22 of this Act as it applied immediately before the coming into force of section 9 of the Planning (Scotland) Act 2019.”.

Textual Amendments

- F1** Words in sch. 2 para. 4(5) substituted (18.12.2019) by [The Planning \(Scotland\) Act 2019 \(Ancillary Provision\) Regulations 2019 \(S.S.I. 2019/424\)](#), regs. 1, **2(5)**

Commencement Information

- I1** Sch. 2 para. 4 in force at 11.2.2023 by [S.S.I. 2023/10](#), **reg. 2(2)(b)**

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)