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SCOTTISH STATUTORY INSTRUMENTS

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**2008 No. 426**

**The Town and Country Planning (Development  
Planning) (Scotland) Regulations 2008**

**PART 2**

**Strategic Development Plans**

**Maps or Diagrams to be included in strategic development plan**

**2.** A strategic development plan must contain a map or a diagram (or a combination thereof) describing the spatial strategy set out in the strategic development plan.

**Information and considerations**

**3.—(1)** In preparing a strategic development plan or a main issues report the strategic development planning authority are to have regard to—

- (a) the resources available or likely to be available for the carrying out of the policies and proposals set out in the strategic development plan;
- (b) any strategic development plan for a strategic development plan area which adjoins the strategic development plan area in respect of which the plan is being prepared;
- (c) any proposed strategic development plan prepared for a strategic development plan area which adjoins the strategic development plan area which has been submitted to the Scottish Ministers in accordance with section 10(3)(b) or 12A(5)(b)(ii) of the Act;
- (d) any regional transport strategy relating to the strategic development plan area;
- (e) any river basin management plan relating to the strategic development plan area;
- (f) any local housing strategy relating to the strategic development plan area; and
- (g) the national waste management plan.

(2) In addition to the matters specified in paragraph (1), the strategic development planning authority when preparing a strategic development plan or main issues report are also to have regard to—

- (a) the objectives of preventing major accidents and limiting the consequence of such accidents;
- (b) the need in the long term to maintain appropriate distances between establishments and residential areas, areas of public use and areas of particular natural sensitivity or interest; and
- (c) the need in the case of existing establishments for additional technical measures in accordance with Article 5 of the Directive so as not to increase the risks to people.

**Consultation for main issues report**

4. The Scottish Ministers are, for the purposes of section 9(4)(c) of the Act, persons whose views a strategic development planning authority is to seek and have regard to when compiling a main issues report.

**Publication in accordance with section 9(6)**

5.—(1) The manner of publication prescribed for the purpose of section 9(6) of the Act is as set out in paragraph (2).

(2) Publication is to be by—

(a) publishing in a local newspaper circulating in the strategic development plan area and on the internet a notice containing the following information—

(i) a statement that the document has been prepared and where and at what times it may be inspected;

(ii) a brief description of the content and purpose of the document;

(iii) details of how further information may be obtained regarding the document, including that it is to be published on the internet under paragraph (2)(d);

(iv) a statement that any person wishing to do so may make representations on the content of the document; and

(v) information as to how and to whom any representations should be made and the date by which they should be made;

(b) sending a notice containing that information to—

(i) the key agencies;

(ii) a strategic development planning authority or a planning authority for land which adjoins the strategic development plan area; and

(iii) any community council any part of whose area is within the strategic development plan area;

(c) making a copy of the document available for inspection at an office of each of the planning authorities comprising the strategic development planning authority and in every public library in the strategic development plan area; and

(d) publishing the document on the internet.

(3) For the purposes of publication in accordance with the following provisions, in paragraph (2) “document” means, as the case may be—

(a) in section 9(6) of the Act, a main issues report;

(b) in section 10(1)(a) of the Act, a proposed strategic development plan;

(c) in section 10(6) of the Act, a proposed strategic development plan as modified under section 10(3) of the Act; and

(d) in section 12A(7) of the Act, a proposed strategic development plan as modified under section 12A(5)(b)(i) of the Act.

**Consultation on proposed strategic development plan**

6. The strategic development planning authority must—

(a) with regard to a proposed strategic development plan consult the Scottish Ministers; and

- (b) with regard to a new proposed strategic development plan prepared in accordance with section 10(4) of the Act, in addition consult all persons who made timeous representation with respect to the original plan.

**Publication of submission of proposed strategic development plan**

7. On submitting a proposed strategic development plan to the Scottish Ministers under section 10(3)(b) or section 12A(5)(b)(ii) of the Act the strategic development planning authority are to advertise that they have done so by–

- (a) publishing in a local newspaper circulating in the strategic development plan area a notice containing the following information–
  - (i) a statement that a proposed strategic development plan has been submitted to the Scottish Ministers;
  - (ii) the date of submission of such proposed plan; and
  - (iii) details of when and where a copy of the proposed plan may be inspected (including details of where such copy may be inspected by means of the internet);
- (b) publishing a copy of the notice referred in paragraph (a) together with a copy of the proposed strategic development plan on the internet;
- (c) making a copy of the proposed plan available for inspection at an office of each of the planning authorities comprising the strategic development planning authority and in every public library in the strategic development plan area; and
- (d) sending a copy of the notice to the key agencies and all those persons who submitted representations to such proposed plan.