
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 426

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

PART 3

Local Development Plans

Information and considerations

- 10.**—(1) In preparing a local development plan the 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 local development plan;
 - (b) any local development plan prepared for a different purpose for the local development plan area;
 - (c) any local development plan or strategic development plan prepared for an area adjoining the local development plan area;
 - (d) any regional transport strategy relating to the local development plan area;
 - (e) any local transport strategy relating to the local development plan area;
 - (f) any river basin management plan relating to the local development plan area;
 - (g) any local housing strategy relating to the local development plan area;
 - (h) the national waste management plan; and
 - (i) where the local development plan area adjoins land in England, any regional spatial strategy or local development framework published in respect of that land.
- (2) In addition to the matters specified in paragraph (1), in preparing a local development plan the planning authority 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.
- (3) In paragraph (1) references to a local development plan or a strategic development plan include, as the case may be, a reference to a proposed local development plan submitted to the Scottish Ministers in accordance with section 18(4)(a) or section 19A(5)(b)(ii) of the Act or a proposed strategic development plan submitted to the Scottish Ministers in accordance with section 10(3)(b) or 12A(5)(b)(ii) of the Act.

(4) In this regulation “local transport strategy” has the same meaning as in section 82(1) of the Transport (Scotland) Act 2001⁽¹⁾.

⁽¹⁾ 2001 asp 2.