
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 427

**The Planning etc. (Scotland) Act 2006 (Development Planning)
(Saving, Transitional and Consequential Provisions) Order 2008**

Amendments to the Conservation (Natural Habitats, &c.) Regulations 1994

- 8.—(1) Part IVA of the 1994 Regulations is amended in accordance with paragraphs (2) to (4).
- (2) In regulation 85A(1)—
- (a) for the definition of “land use plan” substitute,
 - ““land use plan” means a strategic development plan or local development plan or supplementary guidance as provided for in Part 2 of the 1997 Planning Act;”;
 - (b) for sub-paragraph (c) of the definition of “plan-making authority” substitute—
 - “(c) the Scottish Ministers when exercising powers under section 13 (approval or rejection of strategic development plans), 20 (constitution of local development plans) or section 23A (default powers of the Scottish Ministers) of the 1997 Planning Act.”.
- (3) In regulation 85A(2)—
- (a) in sub-paragraph (a) for “a local plan under section 17” substitute, “a local development plan under section 20”;
 - (b) after sub-paragraph (a) insert—
 - “(aa) the adoption of supplementary guidance under section 22 of the 1997 Planning Act;”;
 - (c) in sub-paragraph (b) for “a structure plan under section 10 or a local plan under section 19” substitute, “a strategic development plan under section 13 or a local development plan under section 20”.
- (4) In regulation 85D—
- (a) in paragraph (1) for “a joint structure plan under section 5 or joint local plan under section 11” substitute “a strategic development plan under section 4 or a joint local development plan under section 16”;
 - (b) in paragraphs (2) and (3) for “a joint structure plan or joint local plan” substitute, “a strategic development plan or a joint local development plan”; and
 - (c) in paragraph (5) for “a joint structure or local plan” substitute, “a strategic development plan or a joint local development plan”.