



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

[^{F1} PART 2

DEVELOPMENT PLANS

[^{F1} Sustainable development

Textual Amendments

- F1** Pt. 2 substituted (19.5.2008 for specified purposes, 25.6.2008 for specified purposes, 28.2.2009 in so far as not already in force) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 2, 59(2)** (with savings and transitional provisions in [S.S.I. 2008/165](#), arts. 1, 2 and [S.S.I. 2008/427](#), arts. 1(1), 2-5); [S.S.I. 2008/164](#), art. 2(1)(2), **sch.**; [S.S.I. 2009/70](#), art. 2, **sch.**

^{F2}3E Sustainable development

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Textual Amendments

- F2** [S. 3E](#) repealed (8.11.2019) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 1(3), 63(2)**; [S.S.I. 2019/314](#), reg. 2, **sch.**

^{F3}3F Greenhouse gas emissions policies

A planning authority, in any local development plan prepared by them, must include policies requiring all developments in the local development plan area to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Cross Heading: Sustainable development is up to date with all changes known to be in force on or before 16 April 2024. 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

approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.]

Textual Amendments

F3 S. 3F inserted (1.4.2010) by [Climate Change \(Scotland\) Act 2009 \(asp 12\)](#), **ss. 72**, 100(2) (with s. 95); [S.S.I. 2009/341](#), art. 2(3)

[^{F4}3G Open space strategy

- (1) A planning authority is to prepare and publish an open space strategy.
- (2) An open space strategy is to set out a strategic framework of the planning authority's policies and proposals as to the development, maintenance and use of green infrastructure in their district, including open spaces and green networks.
- (3) An open space strategy must contain—
 - (a) an audit of existing open space provision,
 - (b) an assessment of current and future requirements,
 - (c) any other matter which the planning authority consider appropriate.
- (4) In this section—

“green infrastructure” means features of the natural and built environments that provide a range of ecosystem and social benefits,

“green networks” means connected areas of green infrastructure and open space,

“open space” means space within and on the edge of settlements comprising green infrastructure or civic areas such as squares, market places and other paved or hard landscaped areas with a civic function.
- (5) The Scottish Ministers may by regulations—
 - (a) make provision about how planning authorities are to discharge their functions under this section including, in particular—
 - (i) how they conduct an audit under subsection (3)(a), and
 - (ii) how they assess current and future requirements for the purposes of subsection (3)(b),
 - (b) amend subsection (4) by adding a definition or amending or omitting a definition for the time being specified there.
- (6) For the purposes of this section a national park authority is not a planning authority.]]

Textual Amendments

F4 S. 3G inserted (8.11.2019 for specified purposes) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 3(2)**, 63(2); [S.S.I. 2019/314](#), reg. 2, sch.

Changes to legislation:

Town and Country Planning (Scotland) Act 1997, Cross Heading: Sustainable development is up to date with all changes known to be in force on or before 16 April 2024. 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.

View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)