

**TIMETABLE FOR IMPLEMENTATION OF THE PLANNING ETC. (SCOTLAND) ACT 2006
TIMESCALE FOR THE INTRODUCTION OF CHANGES TO THE PLANNING SYSTEM IN 2009**

UPDATED: JUNE 2009

28 February

The new regime for the preparation and adoption or approval of local and strategic development plans came into force. Transitional provisions allow for existing development plans to remain in force until replaced by new local and strategic development plans. Old-style plans which were in preparation on 28 February can continue to adoption/approval provided they had completed their consultation stage by that date.

31 March

All planning authorities to have published development plan schemes setting out their forward programme for plan preparation. These will incorporate participation statements explaining how people can get involved in the process and should be available on local authority websites.

6 April

The new provisions on the hierarchy of developments, the preparation of schemes of delegation under new section 43A of the Planning Act and the carrying out of pre-application consultation with communities came into force on this date.

This early commencement is to allow parties to prepare for the main changes which come into force on 3 August and has no effect on applications made before 3 August.

Between 6 April and 3 August:

- planning authorities can prepare their schemes of delegation;
- prospective applicants who intend to apply for planning permission for major or national development under the new system on or after 3 August can carry out the necessary pre-application consultation;
- prospective applicants can also identify development requiring design and access statements where an application is to be made on or after 3 August.

29 April

The new E-Planning website was launched to enable planning applications and appeals to be submitted electronically

3 August

The new planning procedures on applications for planning permissions and appeals come into force – the hierarchy, new planning application requirements (including enhanced scrutiny measures), section 43A schemes of delegation, local review bodies, new appeals procedures and new enforcement provisions all come fully into force. Further information on detailed transitional arrangements will be issued.

TIMETABLE FOR IMPLEMENTATION OF THE PLANNING ETC. (SCOTLAND) ACT 2006

UPDATED: JUNE 2009

This is a summary of the programme of implementation for the Planning etc. (Scotland) Act 2006. This is an indicative timetable for information only. Timing for individual activities and outputs might be affected by changes in priorities or emphasis. The dates for implementation are subject to discussion with stakeholders, and will be phased to ensure a smooth roll-out of new functions. The timetable will be updated again in August 2009. If you have any queries about the timetable, please contact the Planning Helpline on 08457 741741.

Theme	Regulations and Orders etc.	Estimated date for consultation	Estimated date of laying Regulations in Parliament	Estimated date for coming into effect
National Planning Framework	Preparation of National Planning Framework	Part 1 commenced – 1 April 2007		
	National Planning Framework 2	Published 25 June 2009		
Development Planning	Strategic Development Plan Authority Designation Orders	Came into force September 2008		
	Regulations on development planning, including: - regulations on SDP content and scope to depart from LDP examinations - regulations on DP content and preparation procedures - order on transitional arrangements for development planning - development plan examination procedures	Came into force 28 February 2009		
Development Management	Extension of definition of 'development' to include marine fish farming	Part 3 (Section 3-4) commenced – 1 April 2007		
	<i>Order and user guide on householder permitted development rights</i>		<i>Autumn 2009</i>	<i>Late 2009</i>
	Order on micro-generation permitted development rights	Came into force 12 March 2009		
	<i>Order on changes to remainder of permitted development rights</i>	<i>Spring 2010</i>	<i>November 2010</i>	<i>Late 2010</i>
	<i>Regulations on processing planning applications – including pre-application consultation</i>		December 2008	Staged – 6 April ¹ and 3 August 2009
	<i>Regulations on appeals, including; - local review bodies, schemes of delegation; - appeal procedures.</i>		December 2008	Staged – 6 April ¹ and 3 August 2009
	Regulations on the hierarchy of developments	Came into force 6 April 2009		
	<i>Order on increases in internal floorspace (Mezzanine Floors)*</i>		<i>TBC</i>	<i>TBC</i>
Regulations on Good Neighbour Agreements	July 2009	October 2009	December 2009	
Enforcement	<i>Regulations on enforcement powers, including the amount of fixed penalty fines, site notices and notification of initiation and completion (now in the Development Management Regulations) and on temporary stop notices</i>		December 2008	3 August 2009
Trees	<i>Regulations on Tree Preservation Orders</i>	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>

TIMETABLE FOR IMPLEMENTATION OF THE PLANNING ETC. (SCOTLAND) ACT 2006**UPDATED: JUNE 2009**

Financial provisions	<i>Regulations on new fees for planning applications</i>	<i>TBC</i>	<i>TBC</i>	<i>TBC</i>
	Powers to make grants for advice and assistance	Part 8 (Section 32) commenced – 1 April 2007		
Business Improvement Districts	Powers to create Business Improvement Districts	Part 9 (Section 33-49) commenced – 1 April 2007		

Text in italics indicates estimated dates and steps that are still to be reached

*As part of the development management consultation we consulted on the basis of introducing planning controls to regulate mezzanine floors used for retailing. However, given the current economic climate Ministers have decided not to introduce such additional controls on the retail and property sectors at this time. The work on bringing forward the regulations on mezzanine floors has been postponed until further notice.

¹ Provisions coming into force in April on pre-application consultation, schemes of delegation and the hierarchy are to allow work to be undertaken in advance of 3 August e.g. preparation of schemes of delegation, pre-application consultation in anticipation of making an application on or after 3 August. They do not affect applications made before 3 August.