

PLA-20-011 Appendix 2 - Planning (Scotland) Act 2019: List of New Duties for Planning Authorities

The table below sets out the new duties arising from the Planning (Scotland) Act 2019 for Planning Authorities. It has been taken from Section 4 of a Research Paper undertaken by the Royal Town Planning Institute (RTPI) in Scotland, entitled "Financial Implications of Implementing the Planning (Scotland) Act 2019", and the figures quoted are for Scotland as a whole.

The Research Paper is available via:

[https://www.rtpi.org.uk/media/3447036/RTPI%20Scotland%20-%20Financial%20Implications%20of%20Implementing%20the%20Planning%20\(Scotland\)%20Act%202019.pdf](https://www.rtpi.org.uk/media/3447036/RTPI%20Scotland%20-%20Financial%20Implications%20of%20Implementing%20the%20Planning%20(Scotland)%20Act%202019.pdf)

Additional Duty Number	Planning (Scotland) Act 2019 Part / Section	Additional Duty Description	RTPI Lower Estimate	RTPI Higher Estimate
1	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the principal physical, cultural, economic, social, built heritage and environmental characteristics of the area	£52,299	£52,299
2	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the capacity of education services in the area	£225,428	£225,428
3	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the capacity of health services in the area	£450,857	£450,857
4	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the health needs of the population of the area	£18,034	£18,034
5	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the housing needs of the population of the area, the housing needs of older people and disabled people within the area	£450,857	£450,857
6	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the desirability of allocating land for the purposes of resettlement	£149,684	£149,684
7	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the infrastructure of the area (including communications, transport and drainage systems and systems for the supply of water and energy)	Work already undertaken in planning authorities	
8	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to how that infrastructure is use	Work already undertaken in planning authorities	
9	Part 1, Section 2	Information to assist in the preparation of National Planning Framework in regards to the supply of energy including land available for the development and use of facilities for renewable sources of energy	£18,034	£18,034
10	Part 1, Section 3	A planning authority is to prepare and publish an open space strategy	£450,000	£450,000
11	Part 1, Section 4	Contribute evidence to Scottish Ministers towards a report on how the planning system is operating to help ensure that the housing needs of older people and disabled people are met	£690,000	£690,000
12	Part 1, Section 5	A planning authority, or two or more such authorities acting jointly, are to prepare and adopt a Regional Spatial Strategy	£4,080,000	£23,800,000
13	Part 1, Section 7	Local Development Plan is to include a statement of the planning authority's policies and proposals as to the provision of water refill locations	£225,428	£225,428
14	Part 1, Section 7	Local Development Plan is to include a statement of the planning authority's policies and proposals as to the provision of public conveniences	£225,428	£225,428

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15	Part 1, Section 7	Local Development Plan is to include targets for meeting the housing needs of people living in the part of the district to which it relates, the housing needs of the population of the area, including, in particular, the needs of persons undertaking further and higher education, older people and disabled people and the availability of land in the district for housing, including for older people and disabled people	£901,714	£901,714
16	Part 1, Section 7	Local Development Plan is to include evidence in regards to the desirability of allocating land for the purposes of resettlement	£149,684	£149,684
17	Part 1, Section 7	Local Development Plan is to include evidence in regards to the health needs of the population of the district and the likely effects of development and use of land on those health needs	£34,265	£34,265
18	Part 1, Section 7	Local Development Plan is to include evidence in regards to the education needs of the population of the district and the likely effects of development and use of land on those education needs	£450,857	£450,857
19	Part 1, Section 7	Local Development Plan is to include evidence in regards to the extent to which there are rural areas within the district in relation to which there has been a substantial decline in population	£34,265	£34,265
20	Part 1, Section 7	Local Development Plan is to include evidence in regards to the capacity of education services in the district	£450,857	£450,857
21	Part 1, Section 7	Local Development Plan is to include evidence in regards to the desirability of maintaining an appropriate number and range of cultural venues and facilities (including in particular, but not limited to, live music venues) in the district	£34,265	£34,265
22	Part 1, Section 7	Local Development Plan is to include evidence in regards to the supply of energy including land available for the development and use of facilities for renewable sources of energy	£34,265	£34,265
23	Part 1, Section 7	Local Development Plan is to have regard to the desirability of preserving disused railway infrastructure for the purpose possible future public transport requirements	£34,265	£34,265
24	Part 1, Section 7	A planning authority must make such arrangements as they consider appropriate to promote and facilitate participation by children and young people (meaning for the purpose of this section a person aged 25 or under) in the preparation of the Local Development Plan	£204,000	£408,000
25	Part 1, Section 7	Local Development Plan evidence report must include a summary of the action taken by the planning authority to support and promote the construction and adaptation of housing to meet the housing needs of older people and disabled people in the authority's area and an analysis of the extent to which the action has helped to meet those needs	See estimate for additional duty 19	
26	Part 1, Section 7	Local Development Plan must include a summary of the action taken by the planning authority to meet the accommodation needs of Gypsies and Travellers in the authority's area and an analysis of the extent to which the action has helped to meet those needs.	See estimate for additional duty 28	
27	Part 1, Section 7	Local Development Plan evidence report must set out how the planning authority has invited local communities in their district to prepare local place plans in accordance with the schedule and the assistance provided to local communities to assist them to prepare local place plans	See RTPI Report Section 6	
28	Part 1, Section 7	Local Development Plan evidence report must set out action taken to include the views of Gypsies and Travellers in the authority's area	£102,000	£1,806,000
29	Part 1, Section 7	Local Development Plan evidence report must set out action taken to include the views of disabled persons	£51,000	£51,000

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30	Part 1, Section 7	Local Development Plan evidence report must set out action taken to include the views of children and young people	See estimate for additional duty 23	
31	Part 1, Section 7	Local Development Plan evidence report must set out action taken to include the views community councils	£34,000	£1,200,000
32	Part 1, Section 7	A planning authority must assess the sufficiency of play opportunities in its area for children in preparing an evidence report	£450,000	£450,000
33	Part 1, Section 8	A planning authority is to prepare and maintain a list of persons who have registered interest with the authority with the intention of acquiring land in the authority's area for self-build housing.	£1,360,000	£3,410,000
34	Part 1, Section 14	Every planning authority must keep a register of local place plans.	£680,000	£2,040,000
35	Part 1, Section 14	Planning authorities are to publish an invitation to local communities in their district to prepare Local Place Plans	See RTPI Report Section 6	
36	Part 2, Section 15	The making and alteration of masterplan consent area schemes including annual reporting	£340,000	£680,000
37	Part 3, Section 17	A planning authority may designate all or part of its area as a short-term let control area	£640,710	£14,756,800
38	Part 3, Section 19	The consideration is to be given, before planning permission for a national development or a major development is granted, to the likely health effects of the proposed development	£421,757	£538,450
39	Part 3, Section 23	Notice by planning authority of certain applications made to them	No significant resource requirements estimated	
40	Part 3, Section 24	Assessment of environmental effects to include the net positive effects on biodiversity that would be likely to result from the development.	£101,463	£395,174
41	Part 3, Section 25	Noise-sensitive development to be subject to conditions, which take account of whether the development includes sufficient measures to mitigate, minimise or manage the effect of noise between the development and any existing cultural venues or facilities	Work already undertaken in planning authorities	
42	Part 3, Section 26	Provision of toilet facilities within certain large developments	£9,478	£21,360
43	Part 3, Section 28	A planning authority must prepare and keep under review a scheme of delegation	Work already undertaken in planning authorities	
44	Part 3, Section 30	Determination of applications: statement to accompany the notification	Work already undertaken in planning authorities	
45	Part 3, Section 36	As soon as reasonably practicable after the end of each financial year, a planning authority is to prepare and publish a report in regards to planning obligations	£68,000	£102,000
46	Part 4, Section 40	Local authorities must have regard to any guidance published by Scottish Ministers in relation to the promotion and use of mediation	£136,000	£13,136,000
47	Part 4, Section 44	Enforcement charters are to contain a statement in relation to the planning authority's monitoring of compliance with planning permissions which have been granted in respect of major developments	£340,000	£680,000

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48	Part 4, Section 46	Annual report on the performance of functions	Work already undertaken in planning authorities	
49	Part 4, Section 52	Notice by planning authority of applications for Listed Building Consent	-	
50	Part 4, Section 53	A planning authority is to prepare a forestry and woodland strategy.	£80,000	£120,000
		Gross cost over 10 years	£16,616,879	£63,741,685
		Savings over 10 years		
		Local Development Plans	-£2,239,000	-£2,239,000
		Strategic Development Plans and National Planning Framework	-£2,239,000	-£2,239,000
		Supplementary Guidance	-£5,210,000	-£5,210,000
		Net cost over 10 years	£12,138,880	£59,263,685