



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

Other controls over development

74 Review of mineral planning permissions.

- (1) Schedule 9 (which makes provision as respects the review of old mineral planning permissions) and Schedule 10 (which makes provision as respects the periodic review of mineral planning permissions) shall have effect.
- (2) Without prejudice to the generality of sections 30 and 31, a development order may make, in relation to any planning permission which is granted by a development order for minerals development, provision similar to any provision made by Schedule 9 or 10.
- (3) In this section and those Schedules “minerals development” means development consisting of the winning and working of minerals, or involving the depositing of mineral waste.

Changes to legislation:

Town and Country Planning (Scotland) Act 1997, Section 74 is up to date with all changes known to be in force on or before 26 January 2022. 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. 1A inserted by [2019 asp 13 s. 50\(2\)](#)
- s. 3CC inserted by [2019 asp 13 s. 12\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 16E inserted by [2019 asp 13 s. 8\(2\)](#)
- s. 20AA inserted by [2019 asp 13 s. 12\(3\)](#)
- 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. 39A inserted by [2019 asp 13 s. 38\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 41(1)(c) inserted by [2019 asp 13 s. 32\(2\)](#)
- 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. 59(2A)-(2D) substituted for s. 59(2)-(8) by [2019 asp 13 s. 32\(4\)](#)
- s. 60(2A) substituted for s. 60(2) by [2019 asp 13 s. 32\(5\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 61(3A)(3B) inserted by [2019 asp 13 s. 33\(2\)](#)
- s. 62A inserted by [2019 asp 13 s. 33\(4\)](#)
- 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. 237(1)(za) inserted by [2019 asp 13 s. 13\(4\)](#)
- s. 238(A1) inserted by [2019 asp 13 s. 13\(5\)\(a\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(aa)(i) words in s. 285(5)(aa) renumbered as s. 285(5)(aa)(i) by [2019 asp 13 s. 13\(5\)\(c\)\(i\)](#)
- s. 238(5)(aa)(ii) and word inserted by [2019 asp 13 s. 13\(5\)\(c\)\(ii\)](#)

- s. 238(5)(ba) inserted by 2019 asp 13 Sch. 2 para. 5(9)(b)
- s. 238(5)(za) inserted by 2019 asp 13 s. 13(5)(b)
- s. 238(7) inserted by 2019 asp 13 Sch. 2 para. 5(9)(c)
- Sch. 1 para. 66A substituted for Sch. 1 para. 6 by 2019 asp 13 Sch. 2 para. 4(5)
- Sch. 5A inserted by 2019 asp 13 s. 15(3)
- Sch. 14 para. 2(1A) inserted by 2019 asp 13 Sch. 2 para. 1(14)(b)(ii)