

STATEMENT ON CALL-IN OF PLANNING APPLICATIONS BY SCOTTISH MINISTERS

The primary responsibility for the operation of the planning system and service lies with local and national park authorities. They are best placed to make decisions about matters which affect their areas. But there can be some occasions when the Scottish Government will become involved in the planning application process.

Scottish Ministers have a general power to intervene in the determination of a planning application and call in an application to take on the decision-making role themselves. This power is exercised by giving a direction under section 46(1) of the Town and Country Planning (Scotland) Act 1997 requiring an application to be referred to them instead of being dealt with by the planning authority. In practice, Ministers exercise this power very sparingly, recognising and respecting the important role of local authorities in making decisions on the future development of their areas.

The circumstances in which Ministers consider it appropriate to give a direction under section 46(1) of the Town and Country Planning (Scotland) Act 1997 are where Ministers consider that there may be some important issue at stake which should be determined by them. Such issues of importance include where, in Ministers' view, the application raises significant issues for planning policy or the operation of the planning system. This may arise, for example, where Ministers consider that the decision on the application could have implications in respect of national planning policy and its commitments in response to the global climate or nature emergencies, or other important impacts on matters such as health, place or the wellbeing economy. Each case will continue to be considered on its individual merits and where a direction is given Ministers are required to give their reasons for doing so.

Planning authorities must notify Scottish Ministers if they are minded to grant planning permission in respect of certain categories of development, which are considered most likely to raise issues where it may be appropriate for Ministers to call-in the application. These are known as notified applications. Planning [Circular 3/2009: Notification of Planning Applications](#) describes this procedure. Ministers have general powers to require notification of any planning application and can also call in applications which have not been notified, if they become aware of the case by other means. Ministers can require an application to be notified to them or referred to them by calling in an application if they take that action before the issuing of the planning authority's decision notice, or where a case is under a local review process, before the review is determined.