

## Briefing for the Citizen Participation and Public Petitions Committee

**Petition Number:** PE1874

**Main Petitioner:** Dr Conrad Harvey

**Subject:** Introduce legislation to create artillery and firearms exclusion zones around places of spiritual importance and religious worship

### Background

Development in Scotland is regulated through the planning system, the major provisions of which are set out in the Town and Country Planning (Scotland) Act 1997, as amended.

Scottish planning legislation does not explicitly prohibit any type of development from specific locations. The Scottish planning system is described as 'plan-led, with development plans guiding the future use of land in our cities, towns and rural areas.

Planning authorities must have regard to national planning policies set out in the [Scottish Planning Policy](#) and the spatial strategy set out in the [National Planning Framework](#) when drafting development plans. The Scottish Government also provides advice to planning authorities on the role of the planning system in helping to prevent and limit the adverse effects of noise in [Planning Advice Note 1/2011: Planning and Noise](#).

Planning authorities are required to make decisions on applications for planning permission in accordance with the development plan, unless there are compelling reasons, known as material considerations, which indicate that the decision should be otherwise.

In practice, this means that any proposed development that meets the requirements of the development plan will normally be approved, unless there are material considerations which indicate that permission should be refused. Similarly, proposed developments that do not comply with the policies set out in the development plan will normally be refused, unless there are material considerations felt by the decision makers to outweigh those policies.

## Scottish Government Action

The Scottish Government has not considered the creation of exclusion zones for military and firearms related development around places of spiritual importance and religious worship.

## Scottish Parliament Action

The Scottish Parliament has not considered the creation of exclusion zones for military and firearms related development around places of spiritual importance and religious worship.

## Key Organisations and relevant links

- **Scottish Government:** Responsible for Scottish planning legislation, policy and guidance.
- **Royal Town Planning Institute Scotland:** Professional body for planners and the planning profession in Scotland.
- **Scottish Land and Estates:** Representative organisation for rural landowners in Scotland.
- **Kagyu Samye Ling:** Tibetan Buddhist monastery located in Eskdalemuir, Dumfries and Galloway. Proposals for the creation of two firing ranges near to the grounds of the monastery are currently under development.

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