



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART X **S**

STATUTORY UNDERTAKERS

Application of Part III to statutory undertakers

218 Applications for planning permission by statutory undertakers. **S**

(1) Where—

- (a) an application for planning permission to develop land to which this subsection applies is made by statutory undertakers and is referred to the Secretary of State under Part III,
- (b) an appeal is made to the Secretary of State under that Part from the decision on such an application, or
- (c) such an application is deemed to be made under subsection (7) of section 133 on an appeal under section 130 by statutory undertakers,

the application or appeal shall be dealt with by the Secretary of State and the appropriate Minister.

(2) Subsection (1) applies to—

- (a) operational land, and
- (b) land in which the statutory undertakers hold or propose to acquire an interest with a view to its being used for the purpose of carrying on their undertaking, where the planning permission, if granted on the application or appeal, would be for development involving the use of the land for that purpose.

(3) Subject to the provisions of this Part as to compensation, this Act shall apply to an application which is dealt with under this section by the Secretary of State and the appropriate Minister as if it had been dealt with by the Secretary of State.

Status: Point in time view as at 27/05/1997. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning (Scotland) Act 1997, Section 218 is up to date with all changes known to be in force on or before 14 July 2024. 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. (See end of Document for details)

- (4) Subsection (2)(b) shall have effect in relation to the Civil Aviation Authority as if for the reference to development involving the use of land for the purpose of carrying on the Civil Aviation Authority's undertaking there were substituted a reference to development involving the use of land for such of the purposes of carrying on that undertaking as may be prescribed.

Status:

Point in time view as at 27/05/1997. This version of this provision has been superseded.

Changes to legislation:

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