

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2007 No. 268**

**The Town and Country Planning (Marine  
Fish Farming) (Scotland) Order 2007**

**Amendment of the Town and Country Planning (General Development Procedure)  
(Scotland) Order 1992**

**10.**—(1) The Town and Country Planning (General Development Procedure) (Scotland) Order 1992(1) is amended as follows.

(2) In article 2(1) (interpretation)—

(a) after the definition of “the Fees Regulations” insert—

““fish farm development” means the placing or assembly of any equipment in marine waters for the purposes of fish farming (“equipment” and “fish farming” having the same meaning as in section 26(6) of the Act) and any material change of use of equipment so placed or assembled;”;

(b) after the definition of “local advertisement” insert—

““marine waters” means the waters described in paragraphs (b) and (c) of subsection (6) of section 26 of the Act;”.

(3) In article 15(1) (consultations before grant of planning permission)—

(a) in paragraph (j), after paragraph (vii) insert—

“(viii) fish farm development;”;

(b) after paragraph (p) insert—

“(q) the Scottish Ministers and the Secretary of State where fish farm development may affect a site designated as a controlled site under section 1 of the Protection of Military Remains Act 1986(2)

(4) After article 22 (decision by planning authority) insert—

**“PART 3B**

**MARINE FISH FARMING**

**22B.**—(1) This Order shall apply to an application for planning permission relating to fish farm development subject to the following modifications.

(2) In article 3(c)—

(a) in paragraph (i) for “land” substitute “location of the development”;

(b) omit paragraph (iv).

---

(1) S.I.1992/224, as amended by S.I. 1992/2083, S.I. 1994/2585, S.I. 1994/3293, S.I. 1996/467, S.I. 1997/749, S.S.I. 1999/1S.S.I. 2001/245, S.S.I. 2003/1, S.I. 2003/2155 and S.S.I. 2004/332. S.S.I. 2006/270 applies S.I. 1992/224 to the Crown with modifications, including the insertion for the purposes of such application of Part 3A.

(2) 1986 c. 35.

(3) Omit articles 4 and 9.

(4) In article 12 for paragraph (5) substitute—

“(5) The planning authority shall publish a notice in the form set out in Schedule 8 in a newspaper circulating in the district of that planning authority.”.

(5) In article 15(1), in paragraph (n) for “within whose area the development is to take place” substitute, “whose area is adjacent to the marine planning zone in which the fish farm development is to take place”.

(6) Where an application for planning permission relates in part to fish farm development and in part to other development, the modifications specified in this article shall apply only for the purposes of that application to the extent that it relates to fish farm development.”.