
EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (“the Permitted Development Order”) and the Town and Country Planning (Use Classes) (Scotland) Order 1997 (“the Use Classes Order”).

The Permitted Development Order permits certain classes of development without the need to apply to the planning authority for express planning permission under the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”). These permitted development rights include rights for various changes of use of a building. This Order amends the Permitted Development Order by providing a new permitted development right to allow a change of use to a shop and financial, professional and other services from a betting office or pay day loan shop.

The Use Classes Order specifies classes for the purposes of section 26(2)(f) of the 1997 Act which provides that a change of use of a building or other land does not involve development for the purposes of the 1997 Act if the new use and the former use are both within the same specified class. This Order amends the Use Classes Order by providing that use as a betting office and use as a pay day loan shop are included in article 3(5) of the Use Classes Order: the list of uses excluded from the specified classes.

Article 4 of this Order makes transitional saving provision in relation to premises which at the date of coming into force of this Order are in the process of converting to a betting office. The transitional saving provision is that: for 3 years after this Order comes into force, the Use Classes Order continues to have effect in relation to such premises as if it had not been amended by this Order.

A Business and Regulatory Impact Assessment has been prepared in relation to this Order and has been placed in the Scottish Parliament Information Centre. Copies can be obtained free of charge from the Scottish Government Planning Directorate, Area 2H, Victoria Quay, Edinburgh, EH6 6QQ.