

## SCHEDULE 2

Regulation 2(1)

### DESCRIPTION OF DEVELOPMENT FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 2 DEVELOPMENT”

The carrying out of development (other than development which is Schedule 1 development) to provide any of the following—

- (1) a generating station;
- (2) an electric line installed above ground—
  - (a) with a voltage of 132 kilovolts or more;
  - (b) in a sensitive area; or
  - (c) the purpose of which installation is to connect the electric line to a generating station the construction or operation of which requires consent under section 36 of the Electricity Act 1989; or
- (3) any change to or extension (including a change in the manner or period of operation) of development of a description listed in schedule 1 or in paragraphs (1) or (2) of this schedule where that development is already authorised, executed, or in the process of being executed, and the change or extension may have significant adverse effects on the environment.

For the purpose of this schedule—

“marine protected area” means an area designated as—

- (a) a nature conservation marine protected area;
- (b) a demonstration and research marine protected area; or
- (c) a historic marine protected area,

by a designation order made by the Scottish Ministers under section 67 of the Marine (Scotland) Act 2010<sup>(1)</sup>;

“sensitive area” means any of the following:—

- (a) a site of special scientific interest;
- (b) land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004;
- (c) a European site within the meaning of regulation 10 of the Conservation of Habitats and Species Regulations 2010<sup>(2)</sup>;
- (d) a World Heritage site;
- (e) a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979<sup>(3)</sup>;
- (f) a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997<sup>(4)</sup>;
- (g) an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000<sup>(5)</sup>; and
- (h) a marine protected area;

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(1) 2010 asp 5.

(2) S.I. 2010/490.

(3) 1979 c.46.

(4) Section 263A was inserted by section 50 of the Planning etc. (Scotland) Act 2006 (asp 17).

(5) 2000 asp 10.

**Status:** This is the original version (as it was originally made).

“site of special scientific interest” has the same meaning as in section 58(1) of the Nature Conservation (Scotland) Act 2004<sup>(6)</sup>; and

“World Heritage Site” means land appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage<sup>(7)</sup>.

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(6) 2004 asp 6, section 58(1) was relevantly amended by section 37(4)(a) of the Wildlife and Natural Environment (Scotland) Act 2011 (asp 6).

(7) See Command Paper 9424.