

2020 No. 269

TOWN AND COUNTRY PLANNING

**The Town and Country Planning (General Permitted
Development) (Reverse Vending Machines) (Scotland)
Amendment Order 2020**

Made - - - - *2nd September 2020*

Laid before the Scottish Parliament *4th September 2020*

Coming into force - - *30th October 2020*

The Scottish Ministers make the following Order in exercise of the powers conferred on them by sections 30, 31 and 275 of the Town and Country Planning (Scotland) Act 1997(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Town and Country Planning (General Permitted Development) (Reverse Vending Machines) (Scotland) Amendment Order 2020 and comes into force on 30 October 2020.

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

2.—(1) The Town and Country Planning (General Permitted Development) (Scotland) Order 1992(b) is amended in accordance with article 2(2).

(2) In schedule 1 (permitted development), after Part 2E (access ramps) insert—

“PART 2F

REVERSE VENDING MACHINES

Class 9H

(1) The installation, alteration or replacement of a reverse vending machine in a wall of a shop or within the curtilage of a shop.

(2) Development is not permitted by this class if—

- (a) the reverse vending machine would exceed 3.5 metres in height,
- (b) its footprint would exceed 80 square metres,

(a) 1997 c.8. Section 275 was relevantly amended by section 54(16) of the Planning etc. (Scotland) Act 2006 (asp 17) and paragraph 32 of schedule 3 of the Regulatory Reform (Scotland) Act 2014 (asp 3). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1992/223 as relevantly amended by S.S.I. 2014/142.

- (c) in the case of a reverse vending machine installed in the wall of a shop, any part of the development would protrude 2 metres beyond the outer surface of that wall,
 - (d) it would be situated within 15 metres of the curtilage of a building used for residential purposes,
 - (e) it would face onto and be within 5 metres of a road,
 - (f) it would be within—
 - (i) a site of archaeological interest,
 - (ii) a national scenic area,
 - (iii) a historic garden or designed landscape,
 - (iv) a historic battlefield,
 - (v) a conservation area,
 - (vi) a National Park, or
 - (vii) a World Heritage Site.
- (3) Development is permitted by this class subject to the following conditions—
- (a) where the reverse vending machine is no longer in operation—
 - (i) the development must be removed as soon as reasonably practicable, and
 - (ii) the land on which the development was situated, including any wall in which the development was installed must, as soon as reasonably practicable, and so far as reasonably practicable, be reinstated to its condition before that development was carried out.
- (4) For the purpose of this class—
- “footprint” means an area of ground covered by development,
- “reverse vending machine” means a machine for the purpose of accepting scheme packaging, reimbursing deposits for each item of scheme packaging accepted, and retaining the scheme packaging for collection within the meaning of the Deposit and Return Scheme for Scotland Regulations 2020(a), and any associated enclosure, building, canopy or other structure,
- “scheme packaging” has the meaning given in regulation 3(2) of the Deposit and Return Scheme for Scotland Regulations 2020,
- “shop” means a building used for any purpose within class 1 of the schedule of the Use Classes Order, and
- “World Heritage Site” means land appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage(b).”.

KEVIN STEWART

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
2nd September 2020

(a) S.S.I. 2020/154.

(b) UNESCO World Heritage Centre – World Heritage List.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. Article 2(2) introduces new class 9H of permitted development which creates permitted development rights for the installation, alteration, or replacement of reverse vending machines in a wall of a shop or within the curtilage of a shop.

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