



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART X

#### STATUTORY UNDERTAKERS

##### *Application of Part III to statutory undertakers*

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

(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 [<sup>F1</sup>Scottish Ministers] under Part III,
- (b) an appeal is made to the [<sup>F1</sup>Scottish Ministers] 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 [<sup>F2</sup>Scottish Ministers].

(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.

<sup>F3</sup>(3) .....

(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

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*Status: Point in time view as at 01/07/1999. This version of this provision has been superseded.*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 24 June 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)

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development involving the use of land for such of the purposes of carrying on that undertaking as may be prescribed.

#### Textual Amendments

- F1** Words in s. 218(1) substituted (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 127(4)(a)**; S.I. 1998/3178, **art. 3**
- F2** Words in s. 218(1) substituted (1.7.1999) by S.I. 1999/1820, art. 4, **Sch. 2 Pt. I para. 127(4)(a)**; S.I. 1998/3178
- F3** S. 218(3) repealed (1.7.1999) by S.I. 1999/1820, arts. 1(2), 4, **Sch. 2 Pt. I para. 127(4)(b) Pt. IV**; S.I. 1998/3178, **art. 3**

**Status:**

Point in time view as at 01/07/1999. This version of this provision has been superseded.

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