
 STATUTORY INSTRUMENTS

1983 No. 1619 (S.151)

TOWN AND COUNTRY PLANNING, SCOTLAND

**The Town and Country Planning (Use Classes) (Scotland)
Amendment Order 1983**

Made - - - - - 31st October 1983

Coming into Operation 1st May 1984

In exercise of the powers conferred on me by sections 19(2)(f) and 273 of the Town and Country Planning (Scotland) Act 1972(a) and of all other powers enabling me in that behalf, I hereby make the following order:—

1.—(1) This order may be cited as the Town and Country Planning (Use Classes) (Scotland) Amendment Order 1983, and the the Town and Country Planning (Use Classes) (Scotland) Order 1973(b) and this order may be cited together as the Town and Country Planning (Use Classes) (Scotland) Orders 1973 and 1983.

(2) This order shall come into operation on 1st May 1984.

2. The Town and Country Planning (Use Classes) (Scotland) Order 1973 is hereby amended as follows:—

(a) In article 2(2), the following definitions shall be added:—

“hazardous substance” and “notifiable quantity” have the meanings assigned to those terms by the Notification of Installations Handling Hazardous Substances Regulations 1982(c);

“site” means the whole of the area of land within a single unit of occupation;”

(b) In article 3, the following paragraph shall be added after paragraph (1):—

“(1A) The classes specified in the Schedule to this order shall not include any use of a building or other land for any purpose which involves the manufacture, processing, keeping or use of a hazardous substance in such circumstances as will result in there being at any one time a notifiable quantity of such substance in, on, over or under that building or land, or any site of which that building or land forms part.”.

New St Andrew's House,
Edinburgh.
31st October 1983.

George Younger,
One of Her Majesty's Principal
Secretaries of State.

(a) 1972 c.52.

(b) S.I. 1973/1165.

(c) S.I. 1982/1357.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Town and Country Planning (Use Classes) (Scotland) Order 1973. The 1973 Order specifies classes for the purposes of section 19(2)(f) of the Town and Country Planning (Scotland) Act 1972, which provides that a change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class.

This Order amends article 3(1) of the 1973 Order to exclude from all of the specified classes any use of a building or land which involves the presence on the site of a notifiable quantity of a hazardous substance within the meaning of the Notification of Installations Handling Hazardous Substances Regulations 1982, so that a change to such a use is not excluded by section 19(2)(f) of the 1972 Act from constituting or involving development for the purposes of the Act.

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