
STATUTORY INSTRUMENTS

1989 No. 148 (S.17)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (General Development) (Scotland) Amendment Order 1989

<i>Made</i>	- - - -	<i>27th January 1989</i>
<i>Laid before Parliament</i>		<i>15th February 1989</i>
<i>Coming into force</i>	- -	<i>27th March 1989</i>

The Secretary of State in exercise of the powers conferred on him by sections 21 and 273(3) of the Town and Country Planning (Scotland) Act 1972((1)) and of all other powers enabling him in that behalf hereby makes the following Order:

Citation and commencement

1.—(1) This Order may be cited as the Town and Country Planning (General Development) (Scotland) Amendment Order 1989, and the Town and Country Planning (General Development) (Scotland) Orders 1981 to 1988((2)) and this Order may be cited together as the Town and Country Planning (General Development) (Scotland) Orders 1981 to 1989.

(2) This Order shall come into force on 27th March 1989.

Amendment

2. The Town and Country Planning (General Development) (Scotland) Order 1981((3)) is hereby amended as follows:—

- (a) in article 2(1)—
 - (i) the definition of “launderette” shall be deleted,
 - (ii) in the definition of “office” the words “or betting office” shall be deleted, and
 - (iii) in the definition of “shop” the word “launderette” shall be deleted;
- (b) for Class III in Schedule 1 to that Order there shall be substituted the following:—
“Class III (Changes of use)

(1) 1972 c. 52; section 21 was amended by the Local Government (Scotland) Act 1973 (c. 65), section 172(2) and by the Housing and Planning Act 1986 (c. 63), Schedule 11, paragraph 30.
(2) S.I. 1981/830, 1983/1620, 1984/237, 1985/1014 and 2007 and 1988/977 and 1249.
(3) S.I. 1981/830, to which there are amendments not relevant to this Order.

(1) In the following paragraph references to “classes” are references to the classes specified in the Schedule to the Town and Country Planning (Use Classes) (Scotland) Order 1989((4)).

(2) Development consisting of a change of use of a building or land to a use within—

- (a) class 1 (shops) from a use—
 - (i) within class 2 (financial, professional and other services);
 - (ii) within class 3 (food and drink); or
 - (iii) for the sale or display for sale of motor vehicles;
- (b) class 2 (financial, professional and other services) from a use within class 3 (food and drink);
- (c) class 4 (business) from a use within—
 - (i) class 5 (general industrial); or
 - (ii) class 11 (storage and distribution); and
- (d) class 11 (storage and distribution) from a use within—
 - (i) class 4 (business); or
 - (ii) class 5 (general industrial); where no more than 235 square metres of the floorspace in the building or land will be used for a use within class 11.” .

St Andrew’s House,
Edinburgh
27th January 1989

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Development) (Scotland) Order 1981 in two ways.

It amends definitions in the 1981 Order in order to meet changes made to the classes of use in the Town and Country Planning (Use Classes) (Scotland) Order 1989 from the Town and Country Planning (Use Classes) (Scotland) Order 1973 which the 1989 Order replaces.

Secondly it substitutes a new Class III in Schedule 1 to the 1981 Order. Class III grants planning permission for certain changes of use of buildings or land by reference to classes of use specified in the Town and Country Planning (Use Classes) (Scotland) Order 1973. The 1973 Order having now been replaced by the 1989 Order, the new class III in Schedule 1 to the 1981 Order grants new permissions by reference to the classes of use specified in the Schedule to the 1989 Order.

The permissions granted allow changes of use as follows:—

- (a) from premises used for financial, professional and other services or for the sale of food and drink (class 2 or 3 respectively in the Schedule to the 1989 Order) or for the sale or display of motor cars, to use as a shop (class 1 in that Schedule);
- (b) from use for the sale of food and drink to use for the provision of financial, professional and other services;
- (c) from general industrial use or use for storage and distribution (class 5 or 11 respectively in the Schedule to the 1989 Order), to a business use (class 4 in that Schedule); and
- (d) from business or general industrial use to use for storage and distribution subject to a condition that no more than 235 square metres of the total floorspace in the building or land will be used for storage and distribution.

These are wider permissions than were previously granted by the 1981 Order.