
STATUTORY INSTRUMENTS

1993 No. 1039 (S.148)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (General Development Procedure (Scotland) Amendment Order 1993

<i>Made</i>	- - - -	<i>6th April 1993</i>
<i>Laid before Parliament</i>		<i>8th April 1993</i>
<i>Coming into force</i>	- -	<i>1st May 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 28(1)(c) 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, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Development Procedure (Scotland) Amendment Order 1993 and shall come into force on 1st May 1993.

(2) In this Order “the 1992 Order” means the Town and Country Planning (General Development Procedure) (Scotland) Order 1992((2)).

Consultation before grant of planning permission

2. In article 15(1) of the 1992 Order (consultations before grant of planning permission), for paragraph (f) there shall be substituted—

“(f) the Health and Safety Executive where the development is within an area which has been notified to the planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances and which involves the provision of—

- (i) residential accommodation;
- (ii) more than 250 square metres of retail floor space;
- (iii) more than 500 square metres of office floor space; or
- (iv) more than 750 square metres of floor space to be used for an industrial process,

(1) c.52, section 28(1) was amended by the Local Government (Scotland) Act 1973 (c. 65), section 172(2) and the Planning and Compensation Act 1991 (c. 34), Schedule 13, paragraph 7(a)(ii) and (iii).
(2) S.I.1992/224, amended by S.I. 1992/2083.

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or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area;”.

Saving

3. Article 2 above shall not apply in relation to applications for planning permission made before 1st May 1993.

St. Andrew’s House,
Edinburgh
6th April 1993

Allan Stewart
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 Procedure) (Scotland) Order 1992 by the substitution of a new provision, in place of the existing provision which requires consultation with the Health and Safety Executive, requiring the planning authority to carry out consultation with the Health and Safety Executive before the grant of planning permission for certain development within the vicinity of installations keeping or using hazardous substances (article 2).