
EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order amends the Town and Country Planning (General Development Procedure) (Scotland) Order 1992. The main changes are—

- (a) extension of article 8 to include detailed provisions relating to notification of owners and agricultural tenants which were previously set out in section 24 of the 1972 Act. Various consequential amendments are also made including substitution of a new Schedule 1 (certificates under article 8(8)) and updating of the notices in Schedules 3 and 10. The revised version of section 24 introduced by the Planning and Compensation Act 1991 is commenced at the same time as these amendments by [S.I. 1994/3292](#);
- (b) article 14(2) is extended to apply to prior approvals required under the General Permitted Development Order, and any other consent, agreement or approval required by a condition attached to planning consent, the same time limit as applies to determination of a planning application;
- (c) article 15 (consultations before grant of planning permission) is amended to require:
 - (i) the Secretary of State and Scottish Natural Heritage to be consulted about applications for commercial peat extraction;
 - (ii) the roads authority to be consulted about applications for development involving access to a toll road; and
 - (iii) the Secretary of State to be consulted about applications for development which may affect the setting of category A listed buildings and scheduled monuments.Scottish Natural Heritage is substituted for the Nature Conservancy Council for Scotland and the Countryside Commission for Scotland;
- (d) article 23 (appeals) is amended to make it clear that appeals provisions apply to decisions on prior approvals required under the General Permitted Development Order.

A number of minor, consequential and technical amendments are also made.