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STATUTORY INSTRUMENTS

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**1992 No. 2084 (S.213)**

**TOWN AND COUNTRY PLANNING, SCOTLAND**

**The Town and Country Planning (General Permitted Development) (Scotland) Amendment (No.2) Order 1992**

<i>Made</i>	- - - -	<i>31st August 1992</i>
<i>Laid before Parliament</i>		<i>4th September 1992</i>
<i>Coming into force</i>	- -	<i>25th September 1992</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<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Town and Country Planning (General Permitted Development) (Scotland) Amendment (No.2) Order 1992 and shall come into force on 25 September 1992.

**Amendment of General Permitted Development Order**

2. The Town and Country Planning (General Permitted Development) (Scotland) Order 1992<sup>(2)</sup> is hereby amended as follows:—

- (a) In article 2—
  - (i) in paragraph (1) in the definition of “existing”, after the word “machinery” shall be inserted the words “or any use”;
  - (ii) paragraph (3) shall be omitted.
- (b) In article 3 after paragraph (4) shall be inserted —
  - “(4A) The permission granted by Schedule 1 shall not apply if —
    - (a) in the case of a permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful;
    - (b) in the case of permission granted in connection with an existing use, that use is unlawful.”.

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(1) 1972 c. 52; section 21(1) to (3) was substituted by the Planning and Compensation Act 1991 (c. 34), Schedule 13, paragraph 5.  
(2) S.I. 1992/223, as amended by S.I. 1992/1078.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
31st August 1992

*Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 to provide that permitted development rights may only be exercised in relation to an existing use or building if the existing use or the building operations in respect of the construction of the existing building are lawful.