

SCHEDULE 2

Regulation 2(1)

DESCRIPTION OF DEVELOPMENT FOR THE PURPOSES OF THE DEFINITION OF “SCHEDULE 2 DEVELOPMENT”

The carrying out of development to provide any of the following—

- (a) a generating station, the construction of which (or the operation of which) will require a section 36 consent but which is not Schedule 1 development;
- (b) the extension of any generating station, where such extension will require a section 36 consent;
- (c) an electric line installed above ground, the purpose of which installation is to connect the said line to a power station subject to an EIA;
- (d) an electric line installed above ground with a voltage of 132 kilovolts or more, the installation of which (or the keeping installed of which) will require a section 37 consent but which is not Schedule 1 development; or
- (e) an electric line installed above ground in a sensitive area, the installation of which (or the keeping installed of which) will require a section 37 consent but which is not Schedule 1 development and does not fall within paragraph (d) of this Schedule.

For the purpose of this Schedule “sensitive area” means any of the following—

- (i) land notified under section 28(1) (areas of special scientific interest) of the Wildlife and Countryside Act 1981⁽¹⁾;
- (ii) land to which section 29(3) (nature conservation orders) of the Wildlife and Countryside Act 1981 applies⁽²⁾;
- (iii) a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage⁽³⁾;
- (iv) a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979⁽⁴⁾;
- (v) an area designated as a Natural Heritage Area by a direction made by the Secretary of State or the Scottish Ministers under section 6(2) of the Natural Heritage (Scotland) Act 1991⁽⁵⁾ or as a National Scenic Area by a direction made by the Secretary of State under section 262C of the Town and Country Planning (Scotland) Act 1972⁽⁶⁾;
- (vi) a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, etc.) Regulations 1994⁽⁷⁾.

(1) 1981 c. 69; section 28 was amended by the Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11), Schedule 2, paragraph 34.

(2) 1981 c. 69; section 29 was amended by the Natural Heritage (Scotland) Act 1991 (c. 28), Schedule 2, paragraph 8 and the Environmental Protection Act 1990 (c. 43), Schedule 8, paragraph 6.

(3) See Cmnd Paper 9424.

(4) 1979 c. 46.

(5) 1991 c. 28.

(6) 1972 c. 52; section 6(9) of the Natural Heritage (Scotland) Act 1991 contained a saving provision for any areas which were designated as National Scenic Areas under section 262C of the Town and Country Planning (Scotland) Act 1972 (c. 52) as at the date of repeal of that section by section 27 of, and Schedule 11 to that 1991 Act.

(7) S.I.1994/2716.