
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 269

**The Planning and Compulsory Purchase Act 2004
(Transitional Provisions) (Scotland) Order 2006**

Interpretation

2.—(1) In this Order—

- (a) “the 1997 Act” means the Town and County Planning (Scotland) Act 1997(1);
- (b) “the 2004 Act” means the Planning and Compulsory Purchase (Scotland) Act 2004;
- (c) “the listed buildings Act” means the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997(2);
- (d) “the hazardous substances Act” means the Planning (Hazardous Substances)(Scotland) Act 1997(3);
- (e) “the EIA Regulations” means the Environmental Impact Assessment (Scotland) Regulations 1999(4);
- (f) “EIA development” means development which is either—
 - (i) Schedule 1 development; or
 - (ii) Schedule 2 development likely to have significant effects on the environment by virtue of factors such as its nature, size or location;
- (g) “Schedule 1 development” means development, other than exempt development of a description mentioned in Schedule 1 to the EIA Regulations; and
- (h) “Schedule 2 development” means development, other than exempt development, of a description mentioned in Column 1 of the table in Schedule 2 to the EIA Regulations where—
 - (i) any part of that development is to be carried out in a sensitive area; or
 - (ii) any applicable threshold or criterion in the corresponding part of Column 2 of that table is respectively exceeded or met in relation to that development.

(2) Words and expressions used in this Order shall have the same meaning as in the 1997 Act, the listed buildings Act and the hazardous substances Act unless the context otherwise requires.

(1) 1997 c. 8.
(2) 1997 c. 9.
(3) 1997 c. 10.
(4) S.S.I. 1999/1 amended by S.S.I. 2003/331 and 341.