
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 270

The Town and Country Planning (Application of Subordinate Legislation to the Crown) (Scotland) Order 2006

Town and Country Planning (General Permitted Development) (Scotland) Order 1992

11.—(1) The Town and Country Planning (General Permitted Development) (Scotland) Order 1992(1) applies to the Crown with the following modifications.

(2) In article 2(1) (interpretation)—

(a) after the definition of “contravention of previous planning control” insert—

““Crown land” has the meaning given by section 242(1)(2) of the Act;”;

(b) after the definition of “Notification Regulations” insert—

““operational Crown building” means a building which is operational Crown land;

“operational Crown land” means—

(a) Crown land which is used for operational purposes; and

(b) Crown land which is held for those purposes,

but does not include—

(i) land which, in respect of its nature and situation, is comparable rather with land in general than with land which is used, or held, for operational purposes;

(ii) Crown land—

(aa) belonging to Her Majesty in right of the Crown and forming part of the Crown Estate; or

(bb) in which there is an interest belonging to Her Majesty in right of Her private estates;

“operational purposes” means the purposes of carrying on the functions of the Crown or of The Scottish Parliamentary Corporate Body;”;

(c) for the definition of “original” substitute—

““original” means—

(a) in relation to a building, other than a building which is Crown land, existing on 1st July 1948, as existing on that date and, in relation to a building, other than a building which is Crown land, built on or after 1st July 1948, as so built;

(b) in relation to a building which is Crown land on 12th June 2006, as existing on that date and, in relation to a building built on or after 12th June 2006 which is Crown land on the date of its completion, as so built;”.

(3) In article 3(10) (permitted development) after sub-paragraph (f) insert—

(1) S.I. 1992 as amended by S.I. 1991/1, S.I. 1992/1078, S.I. 1992/2084, S.I. 1993/1036, S.I. 1994/2586, S.I. 1994/3294, S.I. 1996/252, S.I. 1996/1266, S.I. 1997/1871, S.I. 1997/3060, S.I. 1998/1226, S.S.I. 1999/1, S.S.I. 2000/2040, S.S.I. 2001/266, S.S.I. 2003/341, S.S.I. 2003/2155, S.S.I. 2004/332.

(2) Section 242 was amended by the Planning and Compulsory Purchase Act 2004 (c. 5), Schedule 5, para 6.

- “(g) development for which permission is granted by Class 73 of Part 26.”.
- (4) In article 4(6) (directions restricting permitted development)–
- (a) after sub-paragraph (a) insert–
- “(aa) the carrying out of development specified in Parts 26, 30 or 31;”;
- and
- (b) In Schedule 1 (permitted development) after Part 25 (closed circuit television cameras) insert Parts 26 to 32 as set out in the Schedule to this Order.