

SCHEDULE 5

Consultation by the planning authority

4. Scottish Natural Heritage, the Health and Safety Executive and SEPA where the development—

(1) involves the siting of new establishments;

(2) consists of modifications to existing establishments which could have significant repercussions on major accident hazards; or

(3) includes transport links, locations frequented by the public and residential areas in the vicinity of existing establishments, where the siting or development is such as to increase the risk or consequences of a major accident.

Expressions which are used in this paragraph and in Council Directive [96/82/EC](#) of the European Council⁽¹⁾ on the control of major accident hazards involving dangerous substances shall, in this paragraph, have the same meaning as in that Directive.

(1) O.J. No. L 10, 14.1.1997, p.13. The Directive was amended by Regulation [\(EC\) No. 1882/2003](#) of the European Parliament and of the Council of 29th September 2003 (O.J. No. L 284, 31.10.2003) and Directive [2003/105/EC](#) of the European Parliament and of the Council of 16th December 2003 (O.J. No. L 345, 31.12.2003 p.97).