
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 155

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

PART 6

Particular cases

Application relating to marine fish farming

36.—(1) The provisions of these Regulations (other than regulations 10, 18 and 41) apply to an application for planning permission relating to marine fish farm development subject to the following modifications.

(2) Regulation 7(2)(b) applies as if the reference to “the locality in which the proposed development is situated” were a reference to “the district of the planning authority for the marine planning zone in which the marine fish farm development is proposed”;

(3) Regulation 9 applies as if—

(a) for paragraph 2(b) there were substituted—

“(b) a description of the location of the development;”;

(b) for paragraph (3)(a) there were substituted—

“(a) a plan sufficient to identify the location of the development;”;

(c) paragraph (3)(c) were omitted.

(4) Regulation 13 applies as if for paragraphs (1) and (2) there were substituted—

“(1) Subject to paragraph (3), an application for planning permission for marine fish farm development belonging to the category of major developments must be accompanied by a design statement.

(2) Subject to paragraph (3), an application for planning permission for marine fish farm development belonging to the category of local developments where that development is situated within—

(a) a World Heritage Site;

(b) a National Scenic Area; or

(c) the site of a scheduled monument,

must be accompanied by a design statement other than where the development in question comprises the alteration or extension of an existing marine fish farm.”.

(5) Regulation 20 applies as if—

(a) for paragraph (1) there were substituted—

“(1) The planning authority must publish a notice in the form set out in Schedule 4 in a newspaper circulating in the district of that planning authority.”;

(b) paragraphs (2) to (5) were omitted.

(6) Schedule 2 applies as if for paragraph 2(c) there were substituted—

“(c) a description of the location of the development;”.

(7) Paragraph 6 of Schedule 5 applies as if for “within whose area the development is to take place” there were substituted, “whose area is adjacent to the marine planning zone in which the marine fish farm development is proposed”.

(8) Where an application for planning permission relates in part to marine fish farm development and in part to other development, the modifications specified in this regulation apply only for the purposes of that application to the extent that it relates to marine fish farm development.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Section 36.