

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (“the 1992 Order”) to introduce new classes of permitted development rights and makes a minor amendment to the Town and Country Planning (Use Classes) (Scotland) Order 1997.

The Order introduces new classes 3AA and 4B into the schedule of the 1992 Order. These permit the provision of storage facilities (intended for cycles) within the curtilage of a dwellinghouse or in land to the front of a flatted property. There are limitations as to the size of building permitted and restrictions on location to protect light and sight lines for access.

Article 9 introduces a new Part 2G including classes 9I to 9K. These classes respectively permit the provision of facilities for the storage of pedal cycles within the curtilage of commercial buildings, on land situated at the rear of a tenement and within the boundary of a public road. New classes 18B and 22A permit the change of use of an existing agricultural or forestry building to use a dwelling together with certain building operations reasonably necessary to convert the building to use as a dwelling.

New classes 18C and 22B permit the change of use of an existing agricultural or forestry building to use a for a flexible commercial use together with certain building operations reasonably necessary to convert the building to that use. Flexible commercial uses are uses within classes 1, 2, 3, 4, 6 or 10 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (“the Use Classes Order”).

New class 20A provides permitted development for peatland restoration.

Article 14 makes changes to permitted development rights in respect of the size of finfish pen permitted under class 21A as a replacement or addition finfish pen within the area of an existing marine fish farm.

Article 16 amends class 67 to provide permitted development rights in respect of certain small cell telecommunications systems.

Article 17 amends the Use Classes Order to include flexible commercial uses permitted by virtue of new classes 18C or 22B in the list of sui generis uses in article 3(5).

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (General Permitted Development and Use Classes) (Scotland) Amendment Order 2020.