

1970 No. 600 (S.43)
TOWN AND COUNTRY PLANNING, SCOTLAND
**Town and Country Planning (General Development) (Scotland)
Amendment Order 1970**

<i>Made - - - -</i>	<i>15th April 1970</i>
<i>Laid before Parliament</i>	<i>30th April 1970</i>
<i>Coming into Operation</i>	<i>18th May 1970</i>

In exercise of the powers conferred on me by sections 11, 12, 14, 15 and 107 of the Town and Country Planning (Scotland) Act 1947(a), sections 35 and 36 of the Town and Country Planning (Scotland) Act 1959(b), and sections 77(7) and 79 of, and Schedule 1 to, the Town and Country Planning (Scotland) Act 1969(c), and of all other powers enabling me in that behalf, I hereby order as follows:—

Citation, Commencement and Interpretation

1.—(1) This order may be cited as the Town and Country Planning (General Development) (Scotland) Amendment Order 1970 and the Town and Country Planning (General Development) (Scotland) Orders 1950 to 1964(d) and this order may be cited together as the Town and Country Planning (General Development) (Scotland) Orders 1950 to 1970.

(2) This order shall come into operation on 18th May 1970.

(3) The Interpretation Act 1889(e) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

Amendments of Town and Country Planning (General Development) (Scotland) Order 1950

2. The Town and Country Planning (General Development) (Scotland) Order 1950(f) as amended (g) is hereby amended as follows:—

(a) In article 2(1) the following definitions shall be added:—

“ ‘the Act of 1959’ means the Town and Country Planning (Scotland) Act 1959;

‘the Act of 1969’ means the Town and Country Planning (Scotland) Act 1969;

(a) 1947 c. 53.

(b) 1959 c. 70.

(c) 1969 c. 30.

(d) S.I. 1950/942, 1958/1653, 1959/1361, 1960/1722, 1963/1767, 1964/1791, (1950 II, p. 1107; 1958 II, p. 2331; 1959 II, p. 2653; 1960 III, p. 3296; 1963 III, p. 3376; 1964 III, p. 3934).

(e) 1889 c. 63.

(f) S.I. 1950/942 (1950 II, p. 1107).

(g) S.I. 1958/1653, 1959/1361, 1960/1722, 1963/1767, 1964/1791 (1958 II, p. 2331; 1959 II, p. 2653; 1960 III, p. 3296; 1963 III, p. 3376; 1964 III, p. 3934).

'listed building' means a building which is for the time being included in a list compiled or approved by the Secretary of State under section 28 of the Act;

'outline planning permission' means a planning permission for the erection of a building which is granted subject to a condition (in addition to any other conditions which may be imposed) requiring subsequent approval to be obtained from the local planning authority with respect to one or more reserved matters;

'reserved matters', in relation to an outline planning permission or an application for such permission, means any matters in respect of which details have not been given in the application and which concern the siting, design or external appearance of the building to which the planning permission or the application relates, or the means of access to the building;"

(b) For article 4(6) there shall be substituted the following:—

"(6) No direction given or having effect under this article shall have effect in relation to the carrying out in case of emergency of any development specified in Schedule 1 to this order, or, unless such direction specifically so provides, to the carrying out by statutory undertakers of any of the following operations:—

- (a) maintenance of bridges, buildings and railway stations;
- (b) alteration and maintenance of railway track, and provision and maintenance of track equipment, including signal boxes, signalling apparatus and other appliances and works required in connection with the movement of traffic by rail;
- (c) maintenance of docks, harbours, quays, wharves, canals and towing paths;
- (d) provision and maintenance of mechanical apparatus or appliances (including signalling equipment) required for the purposes of shipping or in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, quay, harbour, bank, wharf or basin;
- (e) any development required in connection with the improvement, maintenance or repair of watercourses or drainage works;
- (f) maintenance of buildings, runways, taxiways or aprons at an aerodrome;
- (g) provision, alteration and maintenance of equipment, apparatus and works at an aerodrome, required in connection with the movement of traffic by air (but excepting buildings, the construction, erection, reconstruction or alteration of which is permitted by paragraph H of Class XVI of Part I of Schedule 1 to this order)."

(c) For article 5 there shall be substituted the following articles:—

"Applications for planning permission

5.—(1) Applications for planning permission made to a local planning authority shall be made in accordance with the Town and Country Planning (Application for Planning Permission, etc) (Scotland) Regulations 1948(a) and any directions made thereunder.

(a) S.I. 1948/914 (1948 I, p. 4326).

(2) Where an applicant so desires, an application may be made for outline planning permission for the erection of a building and, where such permission is granted, the subsequent approval of the local planning authority shall be required to such matters (being reserved matters as defined) as may be reserved by condition. The application shall be made on a form, shall describe the development to which it relates, shall be accompanied by a plan sufficient to identify the land to which it relates (together with such additional copies, not exceeding three, of the form and plan as may be required by the local planning authority) and may contain such further information (if any) as to the proposal as the applicant desires: Provided that where the authority are of the opinion that in the circumstances of the case the application ought not to be considered separately from the siting or the design or external appearance of the building, or the means of access thereto, they shall within the period of one month from receipt of the application notify the applicant that they are unable to entertain it unless further details are submitted, specifying the matters as to which they require further information for the purpose of arriving at a decision in respect of the proposed development; and the applicant may either furnish the information so required (in which event the application shall be treated as an application made in accordance with paragraph (1) of this article and received on the date when such information was furnished) or appeal to the Secretary of State within six months of receiving such notice, or such longer period as the Secretary of State may at any time allow, as if his application had been refused by the authority.

(3) Where a planning permission has previously been granted for development and that development has not yet been commenced, and where a time limit imposed by or under section 66 or section 67 of the Act of 1969 (that is to say, a time limit on the commencement of the development or, in the case of an outline planning permission, on the submission of an application for the approval of reserved matters) has not yet expired, an application may be made for planning permission for the same development without complying with paragraphs (1) and (2) of this article; but such application shall be in writing and shall give sufficient information to enable the authority to identify the previous grant of planning permission. Where the local planning authority are of the opinion that further information is necessary to enable them to deal with the application, they may by a direction in writing addressed to the applicant require the submission of information, plans or drawings on such matters as may be specified in the direction.

(4) A local planning authority may by a direction in writing addressed to the applicant require to be produced to an officer of the authority such evidence in respect of an application for permission made to them as they may reasonably call for to verify any particulars of information given to them.

Other forms of application

5A.—(1) An application to a local planning authority for approval of reserved matters shall be in writing, shall give particulars sufficient to identify the outline planning permission in respect of which it is made and shall include such particulars and be accompanied by such plans and drawings as may be required by the local planning authority under the Town and Country Planning (Application for Planning Permission, etc) (Scotland) Regulations 1948.

(2) An application to a local planning authority for a determination under section 15 of the Act shall be in writing and shall contain a description of the operations or change of use proposed and be accompanied by a plan sufficient to identify the land to which the application relates. Where the proposal relates to the carrying out of operations, the application shall in addition be accompanied by such plans or drawings as are necessary to show the nature of the operations which are covered by the proposal. Where the proposal relates to a change of use, full descriptions shall be given of the proposed use and of the use of the land at the date when the application is made (or, where the land is not in active use at that date, the purpose for which it was last used). The local planning authority may by a direction in writing require the applicant to furnish such further information as may be specified in the direction, to enable them to deal with the application.

General provisions relating to applications

5B.—(1) The period within which the local planning authority shall give notice to an applicant of their decision or determination or of the reference of an application to the Secretary of State shall be the following period from the date of receipt by them of the application, namely:—

- (a) in the case of an application referred to in paragraph 1 of Class XVII of Schedule 1 hereto, thirty months;
- (b) in the case of an application for permission for development affecting a trunk road, or affecting land on which the Secretary of State proposes to construct a trunk road or a special road (see article 7), or for any approval in connection therewith, three months; and
- (c) in any other case, two months;

or such extended period as may be agreed upon in writing between the applicant and the local planning authority at any time (except where the applicant has already given notice of appeal to the Secretary of State).

(2) Every such notice shall be in writing and—

- (a) in the case of an application for planning permission or for approval of reserved matters, where the local planning authority decide to grant permission or approval subject to conditions or to refuse it, the notice shall—
 - (i) state the reasons for the decision; and
 - (ii) where the Secretary of State has given a direction restricting the grant of permission for the development referred to in the application or a government department has expressed the view that the application should not be granted (either wholly or in part) or should be granted subject to conditions, give details of the direction or of the view expressed;

and shall be accompanied by a notification in the terms (or substantially in the terms) set out in Schedule 2 hereto;

(b) in the case of an application for a determination under section 15 of the Act (whether forming part of an application for planning permission or not), the local planning authority shall (except where they determine that the carrying out of operations or the making of a change in the use of land would not constitute or involve development of the land) state in such notice the grounds for their determination and include a statement to the effect that if the applicant is aggrieved by their decision he may appeal to the Secretary of State under section 14 of the Act (as applied by section 15 of the Act) within six months of receipt thereof or such longer period as the Secretary of State may at any time allow.

(3) A local planning authority shall furnish to the Secretary of State and to such other persons as may be described by directions given by the Secretary of State under this order such information as may be so prescribed with respect to applications made to them under article 5 or 5A of this order including information as to the manner in which any such application has been dealt with.”;

(d) For article 6 there shall be substituted the following article:—

“Directions restricting the grant of planning permission

6.—(1) The Secretary of State may give directions restricting the grant of planning permission by a local planning authority, either indefinitely or during such period as may be specified in the directions, in respect of any such development or in respect of development of any such class, as may be so specified.

(2) A local planning authority to whom a direction has been given under this article shall deal with applications for planning permission for development to which such direction relates in such manner as to give effect to the terms of the direction.”;

(e) For article 7 there shall be substituted the following article:—

“Special provisions as to planning permission for development affecting trunk roads and special roads

7.—(1) Before granting planning permission for development affecting trunk roads whether unconditionally or subject to conditions, a local planning authority shall consult with the Secretary of State as he may appoint.

(2) The Secretary of State may give directions restricting the grant of planning permission by the local planning authority either indefinitely or during such period as may be specified in the directions in respect of any development affecting trunk roads, or in respect of such development of any such class as may be so specified, and a local planning authority to whom a direction has been given under this article shall deal with applications for planning permission for development to which such a direction relates in such manner as to give effect to the terms of the direction.

- (3) The provisions of this article shall apply to—
- (i) land on which the Secretary of State proposes to provide a trunk road or special road, being a road the route of which is shown as such in the development plan, or in respect of which the Secretary of State has given notice in writing to the local planning authority of his proposal, together with maps or plans sufficient to identify the proposed route of the road;
 - (ii) any road which is comprised in the route of a special road to be provided by the Secretary of State in accordance with a scheme under the provisions of the Special Roads Act 1949 relating to special roads, and which has not for the time being been transferred to him;
 - (iii) any road which has been or is to be provided by the Secretary of State in pursuance of an order under the provisions of the said Act relating to trunk roads and special roads and has not for the time being been transferred to any other highway authority,

as if it were a trunk road.”;

- (f) After article 9 there shall be inserted the following article:—

“Notification of Certain Applications

9A.—(1) Before granting permission, whether unconditionally or subject to conditions, for any development of land which includes or involves the carrying out of works for the alteration or extension of a listed building, a local planning authority shall notify the Secretary of State of the application, giving particulars of the proposed development and of the alterations to the listed building which are involved. The authority shall not determine the application until the expiration of 28 days from the date of giving notice of it to the Secretary of State.

(2) The Secretary of State may, at any time before the said period expires, give notice to the authority that he requires further time in which to consider whether to require the reference of the application to him, and the foregoing paragraph shall then have effect with the substitution for a period of 28 days of such longer period, as may be specified in the Secretary of State’s notice.

(3) In respect of applications for permission for development of the kind described in paragraph 1 above, the Secretary of State may give directions to local planning authorities requiring them, in such cases or classes of cases as may be specified in the directions, to give to him and to such other persons as may be so specified, notice of the application and of the decision (if any) taken by the authority thereon.”;

- (g) For article 11 there shall be substituted the following article:—

“Appeals

11.—(1) Any applicant who desires to appeal—

- (a) against a decision of a local planning authority refusing planning permission, refusing approval of any reserved matters, or granting permission or approval subject to conditions; or
- (b) against a determination of a local planning authority under section 15 of the Act; or

- (c) on the failure of a local planning authority to give notice of their decision or determination or of the reference of the application to the Secretary of State,

shall give notice of appeal to the Secretary of State, stating the grounds on which the appeal is made, within six months of notice of the decision or determination or of the expiry of the appropriate period allowed under article 5B(1) of this order, as the case may be, or such longer period as the Secretary of State may at any time allow, and shall send a copy of the notice of appeal to the local planning authority.

(2) As soon as may be after the receipt of a copy of a notice of appeal, the local planning authority shall furnish to the Secretary of State a copy of the following documents:—

- (i) the application made to the local planning authority;
 - (ii) all relevant plans, drawings, particulars and documents submitted with the application (including, in the case of an application for planning permission, a copy of any notice provided in accordance with section 35 of the Act of 1959 and of the relevant certificate under section 77 of the Act of 1969 and a copy of the certificate given in accordance with section 36 of the Act of 1959);
 - (iii) the notice of the decision or determination, if any;
 - (iv) all other relevant correspondence with the applicant;
 - (v) a statement containing the observations of the local planning authority on the appeal.”;
- (h) For article 12 there shall be substituted the following article:—

“Register of Applications

12.—(1) The register of applications for planning permission which every local planning authority is required to keep under the provisions of section 12(5) of the Act shall be kept in two parts. Part I shall contain a copy of every application for planning permission and of any application for approval of reserved matters submitted to the local planning authority and not finally disposed of, together with copies of plans and drawings submitted in relation thereto. Part II shall contain the following information in respect of all applications for planning permission:—

- (a) particulars of the application, including the name and address of the applicant, the date of the application and brief particulars of the development forming the subject of the application;
- (b) particulars of any direction given under the Act or this order in respect of the application;
- (c) the decision (if any) of the local planning authority in respect of the application and the date of such decision;
- (d) the date and effect of any decision of the Secretary of State in respect of the application, whether on appeal or on a reference under section 13 of the Act;
- (e) the date of any subsequent approval (whether approval of reserved matters or any other approval required) given in relation to the application.

(2) Where, on an appeal to the Secretary of State under section 16 (enforcement notices) or 19 (applications for established use certificates) of the Act of 1969, the appellant is deemed to have made an application for planning permission for any development to which the appeal relates and the Secretary of State has granted permission for such development, the local planning authority shall, on receipt of notification of the Secretary of State's decision, enter into Part II of the register referred to in the last preceding paragraph particulars of the development concerned and of the land on which it was carried out, and the date and effect of the Secretary of State's decision.

(3) The register of applications for a determination under section 15 of the Act which every local planning authority is required to keep under the provisions of section 12(5) of the Act (as applied by section 15(2) of the Act) shall contain the following information in respect of all applications relating to land within their district, namely:—

- (a) particulars of the application, including the name and address of the applicant, the date of the application and brief particulars of the proposal forming the subject of the application;
- (b) the decision (if any) of the local planning authority in respect of the application and the date of such decision;
- (c) the date and effect of any decision of the Secretary of State in respect of the application, whether on appeal or on a reference under section 13 of the Act.

(4) Every register shall include an index, which shall be in the form of a map unless the Secretary of State approves some other form, for enabling a person to trace any entry in the register.

(5) Every entry in a register (including, in the case of a register of applications for planning permission, the placing in Part I of the register of the copies of the application, plans and drawings required by paragraph (1) of this article) shall be made within 14 days of the receipt of an application, or of the giving or making of the relevant direction, decision or approval as the case may be.

(6) Registers shall be kept at the office of the local planning authority.

(7) For the purposes of paragraph (1) of this article, an application shall not be treated as finally disposed of unless—

- (a) it has been decided by the authority (or the appropriate period allowed under article 5B(1) of this order has expired without their giving a decision) and the period of six months specified in article 11 of this order has expired without any appeal having been made to the Secretary of State; or
- (b) it has been referred to the Secretary of State under section 13 of the Act or an appeal has been made to the Secretary of State under section 14 of the Act, the Secretary of State had issued his decision and the period of six weeks specified in section 31 of the 1959 Act has expired without any application having been made to the Court of Session under that section; or

(c) an application has been made to the Court of Session under section 31 of the 1959 Act and the matter has been finally determined, either by final dismissal of the application by the Court or by the quashing of the Secretary of State's decision and the issue of a fresh decision (without a further application under the said section 31).";

(i) After article 12, there shall be inserted the following article:—

“Established Use Certificates

12A.—(1) An application to a local planning authority for an established use certificate shall be in writing, shall be accompanied by such plans as are sufficient to identify clearly the land to which the application relates and shall give the following particulars:—

- (a) the address or location of the land to which the application relates;
- (b) a description of the use in respect of which a certificate is sought (being a use subsisting on the date when the application is made);
- (c) if there is more than one use of the land at the date when the application is made, a full description of all uses of the land at the relevant date and, where appropriate, an indication of the part of the land to which each of the uses relates;
- (d) whether the use referred to in sub-paragraph (b) above was begun before 1st January 1965 and, if not, the date when it was begun;
- (e) if the use referred to in sub-paragraph (b) above was begun on 1st January 1965 or a later date, particulars of the use of the land at 31st December 1964 and all subsequent uses, including the date when each such use began and ended;
- (f) the nature of the applicant's interest in the land;
- (g) a statement of the grounds (as set out in section 18(1) of the Act of 1969) upon which a certificate is sought;
- (h) such other information as the applicant considers necessary to substantiate or make good his claim.

The application shall be accompanied by such documentary evidence as the applicant is able to furnish in proof of his statements and, in a case where a certificate is being sought on ground (b) of section 18(1) of the Act of 1969 (that is, that the use was begun before the beginning of 1965 under a planning permission granted subject to conditions or limitations, which either have never been complied with or have not been complied with since the end of 1964), a copy of the relevant planning permission or, where it is not possible to supply a copy, details of the condition in question and such particulars as the applicant is able to furnish in order that the permission may be identified. The local planning authority may by a direction in writing require the applicant to furnish such further information as may be specified in the direction, to enable them to deal with the application.

(2) An application for an established use certificate shall not be entertained by the local planning authority unless it is accompanied by one or other of the following certificates signed by or on behalf of the applicant, that is to say:—

- (a) a certificate stating that, in respect of every part of the land to which the application relates, the applicant is either the proprietor of the dominium utile or is the lessee under a lease thereof;
- (b) a certificate stating that the applicant has given the requisite notice of the application to all the persons (other than the applicant) who, at the beginning of the period of twenty-one days ending with the date of the application, were owners of any of the land to which the application relates, and setting out the names of those persons, the addresses at which notice of the application was given to them respectively, and the date of service of each such notice;
- (c) a certificate stating that the applicant is unable to issue a certificate in accordance with either of the preceding sub-paragraphs, that he had given the requisite notice of the application to such one or more of the persons mentioned in the last preceding sub-paragraph as are specified in the certificate (setting out their names, the addresses at which notice of the application was given to them respectively, and the date of the service of each such notice), that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the remainder of those persons and that he has been unable to do so;
- (d) a certificate stating that the applicant is unable to issue a certificate in accordance with sub-paragraph (a) of this paragraph, that he has taken such steps as are reasonably open to him (specifying them) to ascertain the names and addresses of the persons mentioned in sub-paragraph (b) of this paragraph and that he has been unable to do so;

For the purposes of this paragraph the persons who are to be treated as owners of the land to which the application for an established use certificate relates are:—

- (i) a person who, in respect of any part of the land, is the proprietor of the dominium utile or is the lessee under a lease thereof of which not less than 10 years remain unexpired; and
- (ii) any other person who is for the time being the occupier of any part of the said land.

(3) Any such certificate as is mentioned in sub-paragraph (c) or sub-paragraph (d) of the last preceding paragraph shall also contain a statement that the requisite notice of the application, as set out in the certificate, has on a date specified in the certificate (being a date not earlier than the beginning of the period mentioned in sub-paragraph (b) of the said paragraph) been published in a local newspaper circulating in the locality in which the land in question is situated.

(4) In addition to any other matters required to be contained in a certificate issued for the purposes of paragraph (2) of this article, every such certificate shall contain one or other of the following statements, that is to say:—

- (a) a statement that none of the land to which the application relates constitutes or forms part of an agricultural holding;
- (b) a statement that the applicant has given the requisite notice of the application to every person (other than the applicant) who, at the beginning of the period of twenty-one days ending with the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, and setting out the name of each such person, the address at which notice of the application was given to him, and the date of service of that notice.

(5) Where an application for an established use certificate is accompanied by such a certificate as is mentioned in sub-paragraph (b), sub-paragraph (c) or sub-paragraph (d) of paragraph (2) of this article, or by a certificate containing a statement in accordance with sub-paragraph (b) of paragraph (4) of this article, the local planning authority:—

- (a) shall not determine the application before the end of the period of twenty-one days beginning with the date appearing from the certificate to be the latest of the dates of service of notices as mentioned in the certificate, or the date of publication of a notice as therein mentioned, whichever is the later;
- (b) in determining the application, shall take into account any representations relating thereto which are made to them, before the end of the period mentioned in the preceding sub-paragraph, by any person who satisfies them that he is an owner (within the meaning of that term as defined in paragraph (2) of this article) of any land to which the application relates or that he is the tenant of an agricultural holding any part of which is comprised in that land; and
- (c) shall give notice of their decision to every person who has made representations which they were required to take into account in accordance with the last preceding sub-paragraph.

(6) The provisions of paragraph (3) of article 5B of this order shall apply to an application for an established use certificate as they apply to an application for planning permission.

(7) The local planning authority shall give notice to the applicant of their decision (or of the reference of the application to the Secretary of State, as the case may be) within a period of two months from the date of receipt of the application, or such extended period as may be agreed upon in writing between the applicant and the local planning authority at any time (except where the applicant has already given notice of appeal to the Secretary of State).

(8) Where an established use certificate is not granted by the local planning authority on an application, the notice of their decision to refuse the application shall be given in writing, and shall state the grounds for their decision and include a statement to the effect that if the applicant is aggrieved by the decision he may appeal to the Secretary of State under section 19(2) of the Act of 1969.

(9) Any person who desires to appeal against a decision of a local planning authority refusing an established use certificate, or refusing it in part, or against a deemed refusal of such a certificate, shall give notice of appeal in writing to the Secretary of State within six months of receipt of notice of the decision or of the expiry of the period allowed under paragraph (7) of this article, as the case may be, or such longer period as the Secretary of State may at any time allow. Such person shall also furnish to the Secretary of State copies of the following documents:—

- (i) the application made to the local planning authority;
- (ii) all relevant plans, drawings, statements and particulars submitted to them (including the certificate given under paragraph (2) of this article);
- (iii) the notice of the decision, if any;
- (iv) all other relevant documents and correspondence with the local planning authority.

(10) The provisions of paragraphs (2) to (4) of this article shall apply in relation to an appeal to the Secretary of State as they apply in relation to an application to the local planning authority for an established use certificate.

(11) The provisions of article 12 of this order relating to the register kept by the local planning authority in pursuance of section 12(5) of the Act shall apply in relation to applications for established use certificates as they apply in relation to applications for a determination under section 15 of the Act, with the modification that for the reference in paragraph (3)(a) to the proposal forming the subject of the application there shall be substituted a reference to the use in respect of which a certificate is sought.

(12) Certificates issued for the purposes of paragraph (2) of this article shall be in the form set out in Part I of Schedule 3 hereto. The requisite notices for the purposes of the provisions of the said paragraph in relation to applications for established use certificates shall be in the form set out in Part II of the said Schedule, and the requisite notices for the purposes of the provisions of paragraphs (9) and (10) of this article (that is, notices in relation to appeals against refusal of an established use certificate) shall be in the forms set out in Part III of the said Schedule.

(13) Established use certificates shall be issued in the form set out in Part II of Schedule 4 to this order.”;

(j) In Class XVI of Part I of Schedule 1

(i) for paragraph D there shall be substituted the following:—

Column (1) Description of Development	Column (2) Conditions
<p data-bbox="373 459 619 488"><i>D. Gas Undertakings</i></p> <p data-bbox="347 510 893 593">Development required for the purposes of the undertaking of any of the following descriptions, that is to say:—</p> <ul style="list-style-type: none"> <li data-bbox="411 593 893 649">(i) the laying underground of mains, pipes or other apparatus; <li data-bbox="411 672 893 840">(ii) the installation in a gas distribution system of gas valve governor houses not exceeding (except when constructed underground elsewhere than under a road) 600 cubic feet in capacity; <li data-bbox="402 862 893 1198">(iii) the construction, in any storage area or protective area specified in an order made under section 4 of the Gas Act 1965(a), of boreholes, other than those shown in the order as approved by the Minister of Technology for the purposes of subsection (6) as read with subsection (7) of the said section 4, and the erection or construction, in any such area, of any plant or machinery or other structure not exceeding 20 feet in height which is required in connection with any such borehole; <li data-bbox="402 1220 893 1691">(iv) any other development carried out in, on, over or under the operational land of the undertaking <i>except</i>:— <ul style="list-style-type: none"> <li data-bbox="481 1332 893 1467">(a) the erection, or the reconstruction or alteration so as materially to affect the design or external appearance thereof, of buildings; <li data-bbox="481 1489 893 1691">(b) the installation of any plant or machinery, or structures or erections of the nature of plant or machinery, exceeding 50 feet in height or capable, without addition, of being extended to a height exceeding 50 feet; 	<p data-bbox="922 510 1243 539">Standard conditions 1 and 2.</p>

Column (1) Description of Development	Column (2) Conditions
(c) the replacement of any plant or machinery, or structures or erections of the nature of plant or machinery, to a height exceeding 50 feet or the height of the plant, machinery, structure or erection so replaced, whichever is the greater.	

and

(ii) the following paragraph shall be added after paragraph G:—

“

Column (1) Description of Development	Column (2) Conditions
<p>H. <i>The British Airports Authority.</i> Development required in connection with the provision by the Authority of services and facilities necessary or desirable for the operation of an aerodrome, being development carried out by the Authority in, or, over or under the operational land of the undertaking, except:—</p> <p>(i) the construction or erection, or the reconstruction or alteration so as materially to affect the design or external appearance thereof, of buildings (not being buildings required in connection with the movement or maintenance of aircraft or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods at an aerodrome); and</p> <p>(ii) the construction or extension of runways.</p>	Standard conditions 1 and 2.

(k) In Class XXI of the said Part I, in place of the words “of the Minister of Civil Aviation” there shall be substituted the words “of the Board of Trade or of the British Airports Authority”.

(l) For Schedule 2 there shall be substituted the Schedule set out in Schedule 1 to this order;

(m) after Schedule 2 there shall be inserted the Schedules set out in Schedules 2 and 3 to this order.

Amendments of Town and Country Planning (General Development) (Scotland) Order 1959

3. The Town and Country Planning (General Development) (Scotland) Order 1959(a) as amended (b) is hereby amended as follows:—

(a) In article 2(1) the following definition shall be added:—

“the Act of 1969’ means the Town and Country Planning (Scotland) Act 1969”;

(b) For article 8 there shall be substituted the following article:—

“Notices under Section 35

8.—(1) The following classes of development are designated for the purposes of section 35:—

- (a) construction of buildings for use as a public convenience;
- (b) construction of buildings or other operations, or use of land, for the disposal of refuse or waste materials;
- (c) construction of buildings or other operations (other than the laying of sewers, the construction of septic tanks serving single dwelling houses, and works ancillary thereto) or use of land, for the purpose of sewage disposal;
- (d) construction of buildings or use of land for the purposes of a slaughterhouse or knacker’s yard;
- (e) construction of buildings and use of buildings for any of the following purposes, namely as a theatre, a cinema, a music hall, a dance hall, a skating rink, a swimming bath or gymnasium (not forming part of a school, college or university), a Turkish or other vapour or foam bath, or a building for indoor games.

(2) The form of notice required to be published under section 35 shall be that set out in Part I of Schedule 1 hereto, and the copy of the notice accompanying the application shall be certified by or on behalf of the applicant as having been published in a named newspaper on a date specified in the certificate.

(3) Certificates issued for the purposes of section 77(1) of the Act of 1969 shall be in the form set out in Part II of Schedule 1 hereto.

(4) The form of notice required by section 77(2) of the Act of 1969 to be posted on the land shall be that set out in Part II of Schedule 1 hereto.”;

(c) For Schedule 1 there shall be substituted the Schedule set out in Schedule 4 to this order;

(d) For Part I of Schedule 2 there shall be substituted the provisions set out in Schedule 5 to this order.

William Ross,
One of Her Majesty’s Principal
Secretaries of State.

St. Andrew’s House,
Edinburgh.

15th April 1970.

SCHEDULE 1

Article 2

“SCHEDULE 2

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions. (To be endorsed on notices of decision).

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with section 14 of the Town and Country Planning (Scotland) Act 1947 within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the local planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of sections 17, 18, 20 and 25 of the Town and Country Planning (Scotland) Act 1947 and sections 34 and 38 to 42 of, and Schedules 5 and 9 to, the Town and Country Planning (Scotland) Act 1959 (as amended by the Town and Country Planning (Scotland) Act 1969).

(3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 18 of the Town and Country Planning (Scotland) Act 1947.”

SCHEDULE 2

Article 2

“SCHEDULE 3

PART I

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT)

(SCOTLAND) ORDERS 1950 TO 1970

Certificate under Article 12A(2) in relation to an application for an established use certificate

Certificate A*

I hereby certify that:—

- 1. I am the proprietor of the dominium utile
*The applicant is the lessee under a lease
The appellant is

of every part of the land to which the accompanying *application
appeal dated

(a) Insert date of application or appeal

(a) relates.

Or:—

Certificate B*

I hereby certify that:—

I have

- 1. *The applicant has given the notice required by article 12A
The appellant has
of the Town and Country Planning (General Development)
(Scotland) Order 1950 to all the persons who, 21 days before the
date of the accompanying
*application,
appeal were occupiers or owners of any of the land to
which the
*application
appeal relates, viz:—

Name of occupier or owner	Address	Date of service of notice
------------------------------	---------	------------------------------

Or:—

Certificate C*

I hereby certify that:

I am

- 1. (i) *The applicant is not the proprietor of the
The appellant is
dominium utile of every part of the land to which the accom-
panying *application
appeal dated

(a) Insert date of application or appeal

(a)
relates and *have
has been unable to give the notice of the
*application
appeal required by article 12A of the Town and Country

Planning (General Development) (Scotland) Order 1950 to all persons who, 21 days before the date of the *application appeal, were occupiers or owners of any of the land to which the *application appeal relates.

(ii) I have

*The applicant has given the notice required by the The appellant has

said article 12A to the following persons who, 21 days before the date of the accompanying *application appeal, were occupiers or owners of any of the land to which the *application appeal relates, viz:—

Name of occupier or owner	Address	Date of service of notice
---------------------------	---------	---------------------------

(iii) I have

*The applicant has taken the steps listed below, The appellant has

being steps open to *me him, to ascertain the names and addresses of the other occupiers or owners of the land, or part thereof, and *have has been unable to do so.

(b) Insert description of steps taken

(b)
.....
.....

(iv) Notice of the *application appeal as set out below has been published in the

(c) Insert name of local newspaper circulating in the locality in which the land is situated.

(c)
.....

(d) Insert date of publication (which must not be earlier than 21 days before the application or appeal).

on (d)

Copy of notice as published

Or:—

Certificate D*

I hereby certify that:—

1. (i) I am

*The applicant is not the proprietor of the The appellant is

dominium utile of every part of the land to which the accompanying *application appeal dated (a)

(a) Insert date of application or appeal

relates and *have has taken the steps listed below, being steps

reasonably open to *me him, to ascertain the names and addresses

of all persons, other than *myself/himself who are occupiers or owners of the land and *have/has been unable to do so.

(b) Insert description of steps taken

(b)
.....
.....

(ii) Notice of the *application/appeal as set out below has been

(c) Insert name of local newspaper circulating in the locality in which the land is situated

published in the (c).....
.....

(d) Insert date of publication (which must not be earlier than 21 days before the application or appeal).

on (d).....

Copy of notice as published

[Whichever is appropriate of these alternatives should form part of any certificate A B C or D above].

*2. None of the land to which the *application/appeal relates constitutes or forms part of an agricultural holding;

or:—

*2. I have
*The applicant has given the requisite notice to every
The appellant has
person other than *myself/himself who, 21 days before the date of the
*application/appeal, was a tenant of any agricultural holding any part
of which was comprised in the land to which the *application/appeal
relates, viz:—

Name of Tenant	Address	Date of service of notice
----------------	---------	---------------------------

Signed.....

*On behalf of.....

Date.....

*Delete where inappropriate

PART II

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS 1950 TO 1970

Notice under Article 12A of application for established use certificate

[Notice for service on individuals]

TAKE NOTICE that application is being made to the

- (a) Insert name of council (a)Council by
- (b) Insert name of applicant (b)for an established use certificate relating to the use of land at
- (c) Insert address or location of land (c)
- (d) Insert use claimed to be established for the purposes of (d).....
- (e) Insert address of Council service of this notice to the *County Clerk / Town Clerk at (e).....

If you wish to make representations about the application, you should make them in writing within 21 days of the date of service of this notice to the *County Clerk / Town Clerk at (e).....

Signed.....

*On behalf of.....

Date.....

*Delete where inappropriate

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS 1950 TO 1970

Notice under Article 12A of application for established use certificate

[Notice for publication in local newspaper]

Notice is hereby given that application is being made to the

- (a) Insert name of Council (a)Council by
- (b) Insert name of applicant (b)for an established use certificate relating to the use of land at
- (c) Insert address or location of land (c)
- (d) Insert use claimed to be established for the purposes of (d).....

Any occupier of the land or part thereof, or any owner (including a person entitled to possession of the land under a lease the unexpired period of which is not less than 10 years), who wishes to make representations to the above mentioned Council about the application should make them in writing within 21 days of the date of publication of this notice to the *Town Clerk / County Clerk at

(e) Insert address of council
 (e)
 Signed.....
 *On behalf of.....
 Date.....
 *Delete where inappropriate

PART III
 TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969
 TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND)
 ORDERS 1950 TO 1970

Notice under Article 12A of appeal against refusal of an established use certificate
 [Notice for service on individuals]

TAKE NOTICE that an appeal is being made to the Secretary of State for Scotland by (a).....
 (a) Insert name of appellant.
 (b) Insert name of Council * (i) against the decision of the (b) Council
 * (ii) on the failure of the (b) Council
 to give a decision on an application for an established use certificate relating to the use of (c).....
 (c) Insert address or location of land.
 (d) Insert use claimed for the purpose of (d).....
 to be established
 If you should wish to make representations to the Secretary of State about the appeal you should make them in writing within 21 days of the date of service of this notice to the Secretary, Scottish Development Department, St. Andrew's House, Edinburgh.
 Signed.....
 *On behalf of.....
 Date.....
 *Delete where inappropriate

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969
 TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND)
 ORDERS 1950 TO 1970

Notice under Article 12A of appeal against refusal of an established use certificate
 [Notice for publication in local newspaper]

Notice is hereby given that an appeal is being made to the Secretary of State for Scotland by (a).....
 (a) Insert name of appellant.

(b) Insert name of Council. * (i) against the decision of the (b)..... Council
 * (ii) on the failure of the (b)..... Council
 to give a decision on an application for an established use
 certificate relating to the use of (c).....
 (c) Insert description and address or location of land.
 (d) Insert use claimed to be established for the purpose of (d).....
 Any occupier of the land or part thereof, or any owner (including a person entitled to possession of the land under a lease the unexpired period of which is not less than 10 years), who wishes to make representations to the Secretary of State about the appeal should make them in writing within 21 days of the date of publication of this notice to the Secretary, Scottish Development Department, St. Andrew's House, Edinburgh.
 Signed.....
 *On behalf of.....
 Date.....
 *Delete where inappropriate ”

SCHEDULE 3

Article 2

“SCHEDULE 4

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1969

Established Use Certificate

(a) Insert location or address of land Land at (a).....

 (b) Insert colour more particularly shown *edged (b).....
coloured
hatched
 on the plan attached hereto
 IT IS HEREBY CERTIFIED that the use of the above land
 * as
 for
 (c) Insert description of use (c)

 (d) Insert date of application for established use certificate. was on (d).....
 (e) Insert “paragraph (a)”, “paragraph (b)”, or “paragraph (c)” as appropriate. established within the meaning of (e).....
 of section 18(1) of the Town and Country Planning (Scotland) Act 1969.
 Signed.....
 *On behalf of.....
 Date.....

NOTE: This certificate is issued for the purposes of section 18 of the Town and Country Planning (Scotland) Act 1969 only. It certifies that the use of the land for the purpose named is not liable to enforcement action under section 15 of that Act, but it is not a grant of planning permission and does not necessarily entitle the owner or occupier of the land to any consequential statutory rights which may be conferred where planning permission has been granted, under Part II of the Town and Country Planning (Scotland) Act 1947, for a use of land.

*Delete where inappropriate ”

Article 3

SCHEDULE 4

“SCHEDULE 1

PART I

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1959

Notice under section 35

(a) Insert address or location of proposed development. Proposed development at (a).....

(b) Insert name of Council. Notice is hereby given that application is being made to the (b).....Council by (c).....

(c) Insert name of applicant. for planning permission in respect of (d).....

(d) Insert description and address or location of proposed development.

A copy of the application and of the plans and other documents submitted with it may be inspected at all reasonable hours at

(e) Insert address within locality in which land proposed to be developed is situated. (e) during the period of 21 days beginning with the date of publication of this notice.

Any person who wishes to make representations to the above-mentioned Council about the application should make them in writing within that period to the * Town Clerk / County Clerk at

(f) Insert address of Council. (f).....

Signed.....

*On behalf of.....

Date.....

*Delete where inappropriate.

PART II

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS 1947 TO 1969

Certificate under section 77 of Act of 1969

Certificate A* I hereby certify that:—
 *I
 *The applicant posted
 on the land to which the accompanying application dated
 (a) Insert date of application. (a).....relates the notice
 required by section 77 of the Town and Country Planning
 (Scotland) Act 1969, and such notice was left in position for not
 less than seven days in the period of not more than one month
 immediately preceding the making of this application.

Or:—

Certificate B* I hereby certify that :—
 *I have
 *The applicant has been unable to post on the land to which the
 accompanying application dated (a).....
 (a) Insert date of application. relates the notice required by section 77 of the Town and Country
 Planning (Scotland) Act 1969 because *I have
 the applicant has no
 such rights of access or other rights in respect of the land as
 would enable *me
 the applicant to do so.

*I have
 *The applicant has taken the following steps, namely:—

(b) Insert steps taken. (b)

 to acquire those rights and *have
has been unable to acquire them.

Or:—

Certificate C* I hereby certify that:—
 *I
 *The applicant posted on the land to which the accompanying
 application dated (a).....relates the notice
 (a) Insert date of application. required by section 77 of the Town and Country Planning
 (Scotland) Act 1969, but such notice was left in position for less
 than seven days in the period of not more than one month
 immediately preceding the making of this application because
 it was, without any fault or intent of *mine
 the applicant's
 *removed
 obscured or defaced before seven days had elapsed in the said
 period of not more than one month.

*I
 *The applicant took the following steps for the protection and,
 where necessary, replacement of the notice, namely:—

(b) Insert steps taken. (b)

Signed.....

*On behalf of.....

Date.....

*Delete where inappropriate

PART III

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS 1947 TO 1969

Notice under section 77 of the Act of 1969

(a) Insert address or location of proposed development. Proposed development at (a)
TAKE NOTICE that application is being made to the

(b) Insert name of council (b).....

(c) Insert name of applicant. Council by (c).....
.....
for planning permission to carry out the following development on the above land, namely:—

(d) Insert description of proposed development (d).....
.....
.....
A copy of the application for planning permission and of all plans and other documents relating thereto may be inspected by

(e) Insert address of place where the application is available for inspection. members of the public at (e).....
.....

(f) Insert date not less than 21 days later than the date on which the notice was first posted. at all reasonable hours until (f).....
.....
Signed.....
*On behalf of.....
Date.....

*Delete where inappropriate. ”

Article 3

SCHEDULE 5

“PART I

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1959

Certificate under section 36

Certificate A* I hereby certify that:—

1. I am
*The applicant is the proprietor of the dominium utile
The appellant is the lessee under a lease
of every part of the land to which the accompanying
*application dated(a).....
appeal relates;

(a) Insert date of application or appeal.

Or:—

Certificate B* I hereby certify that:—

I have

1. *The applicant has given the requisite notice to all the
The appellant has

persons who, 21 days before the date of the accompanying *application appeal, were owners of any of the land to which the *application appeal relates, viz.

Name of Owner	Address	Date of Service of notice
---------------	---------	---------------------------

Or:—

Certificate C*

I hereby certify that:—

I am

1. (i) *The applicant is unable to issue a certificate in accordance with either paragraph (a) or paragraph (b) of section 36(1) of the Town and Country Planning (Scotland) Act 1959 in respect of the accompanying *application appeal dated (a).....

(a) Insert date of application or appeal.

The appellant is
accordance with either paragraph (a) or paragraph (b) of section 36(1) of the Town and Country Planning (Scotland) Act 1959 in respect of the accompanying *application appeal dated (a).....

I have

(ii) *The applicant has given the requisite notice to the following persons who, 21 days before the date of the *application appeal, were owners of the land, or part thereof, to which the *application appeal relates, viz:—

The appellant has
following persons who, 21 days before the date of the *application appeal, were owners of the land, or part thereof, to which the *application appeal relates, viz:—

Name of owner	Address	Date of Service of notice
---------------	---------	---------------------------

I have

(iii) *The applicant has taken the steps listed below, being steps reasonably open to *me/him, to ascertain the names and addresses of the other owners of the land or part thereof and *have/has been unable to do so:

(b) Insert description of steps taken.

(b)
.....
.....

(iv) Notice of the *application appeal as set out below has been published in the (c).....

(c) Insert name of local newspaper circulating in the locality in which the land is situated.

.....
.....

TOWN AND COUNTRY PLANNING,
SCOTLAND

1920

(d) Insert date of publication (which must not be earlier than 21 days before the application or appeal).

Certificate D*

on (d).....

Copy of notice as published

Or:—

I hereby certify that:—

I am

1. (i) *The applicant is unable to issue a certificate in accordance with section 36(1)(a) of the Town and Country Planning (Scotland) Act 1959 in respect of the accompanying *application appeal dated

(a) Insert date of application or appeal.

(a).....

and *have has taken the steps listed below, being steps reasonably open to *me him, to ascertain the names and addresses of any of the owners of any of the land to which the *application appeal relates and *have has been unable to do so:

(b) Insert description of steps taken.

(b).....
.....
.....

(ii) Notice of the *application appeal as set out below has been

(c) Insert name of local newspaper circulating in the locality in which the land is situated.

published in the (c).....
.....
.....

(d) Insert date of publication (which must not be earlier than 21 days before the application or appeal).

on (d).....

Copy of notice as published

*2. None of the land to which the *application appeal relates constitutes or forms part of an agricultural holding;

Or:—

I have

[Whichever is appropriate of these alternatives should form part of any certificate A, B, C, or D above.]

*2. *The applicant has given the requisite notice to every person other than *himself myself who, 21 days before the date of the *application appeal was a tenant of any agricultural holding any part

of which was comprised in the land to which the *application appeal relates, viz:—

Name of tenant	Address	Date of Service of notice
----------------	---------	---------------------------

Signed.....

On behalf of*.....

Date.....

*Delete where inappropriate

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order makes a number of amendments to the Town and Country Planning (General Development) (Scotland) Orders 1950 and 1959 (as amended by subsequent orders). In general, the amendments are necessitated by the Town and Country Planning (Scotland) Act 1969, though in some instances amendments to procedural requirements and to prescribed forms are also made.

The principal amendments are as follows:—

(1) to the Town and Country Planning (General Development) (Scotland) Order 1950—

- (a) Article 4 is amended to exclude the power to make directions (other than specific directions) restricting permitted development, in the case of maintenance work and the provision or alteration of equipment, apparatus and works at an aerodrome which is vested in, or under the control of the British Airports Authority for purposes connected with the movement of traffic by air (Article 2(b)) of this Order.
- (b) the existing Article 5 is replaced by Articles 5, 5A and 5B, dealing respectively with the form in which application for planning permission is to be made, including special provisions relating to application for outline planning permission for the erection of buildings and application for the renewal of planning permission which will expire as a consequence of the operation of Sections 66 and 67 of the Act of 1969 (Article 5); the forms of application for approval of reserved matters and for a determination under Section 15 of the Town and Country Planning (Scotland) Act 1947 (Article 5A); and the lodging of applications and the manner in which they are to be dealt with by the local planning authority (Article 5B);
- (c) Articles 6(1) and 7 are amended to allow the Secretary of State to give directions restricting the grant of permission which are not limited as to period and to empower him to give directions under Article 7 as to land affected by road proposals;
- (d) a new Article (9A) provides that local planning authorities shall notify the Secretary of State of any planning application involving works on a listed building; that such applications shall not be determined before the expiry of 28 days from that notification, or such longer period as the Secretary of State may determine; and that the Secretary of State may give directions to local planning authorities requiring in specified cases or classes of cases, notice of the application and decision to be sent to him and to any other specified persons.
- (e) Article 11 is amended to extend the time for planning appeals made under Section 14 of the Act of 1947 and appeals against determinations made under Section 15 of that Act and also to require copies of certificates under Sections 35 and 36 of the Town and Country Planning (Scotland) Act 1959 and under Section 77 of the Act of 1969 to be furnished to the Secretary of State;
- (f) Article 12 is replaced by an Article requiring the register of planning applications to be kept in two parts, namely:
 - (1) a new part containing copies of applications which are in course of being dealt with; and
 - (2) a part for permanent entries, as previously required; and making certain amendments to existing requirements;

- (g) a new Article (12A) makes provision as to the making of application for an established use certificate and the manner in which such applications are to be dealt with by the local planning authority; and as to appeals to the Secretary of State;
- (h) the First Schedule is amended to include further classes of development which are permitted by Article 3, namely:—
- (1) the construction of boreholes, and the carrying out of certain other works, on land under which a gas authority are authorised, by an Order made under Section 4 of the Gas Act 1965, to store gas, and on any other land included in such an Order as a protective area (Article 2(i)(i) of this Order);
 - (2) certain development in connection with the operation of aerodromes which is carried out by the British Airports Authority set up under the Airports Authority Act 1965 (1965 c.16) (Article 2(i)(ii));
 - (3) the use of buildings on an aerodrome which is vested in, or under the control of the British Airports Authority for purposes connected with the air transport services or other flying activities at such an aerodrome (Article 2(j)) of this Order.
- (i) the Second Schedule is replaced by a new Schedule which takes account of recent statutory provisions relating to office development permits and industrial development certificates.
- (j) new Schedules (3 and 4) are added which prescribe the forms necessitated by those provisions of the 1969 Act which relate to established use certificates.
- (2) to the Town and Country Planning (General Development) (Scotland) Order 1959—
- (a) the First Schedule is replaced by a new Schedule which prescribes the forms (new and amended) necessitated by those provisions of the 1969 Act relating to the posting of site notices;
 - (b) Part I of the Second Schedule is replaced by a new Part I which prescribes the new form of certificates under Section 36 of the 1959 Act necessitated by the 1969 Act.

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