
STATUTORY INSTRUMENTS

1993 No. 1036 (S.145)

TOWN AND COUNTRY PLANNING, SCOTLAND

The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 1993

<i>Made</i>	- - - -	<i>6th April 1993</i>
<i>Laid before Parliament</i>		<i>8th April 1993</i>
<i>Coming into force</i>	- -	<i>1st May 1993</i>

The Secretary of State, in exercise of the powers conferred on him by sections 21 and 273(3) of the Town and Country Planning (Scotland) Act 1972((1)) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 1993 and shall come into force on 1st May 1993.

(2) In this Order “the 1992 Order” means the Town and Country Planning (General Permitted Development) (Scotland) Order 1992((2)).

Amendment of interpretation article

2. In article 2(1) of the 1992 Order (interpretation)—

(a) the definitions of “hazardous activity”, “hazardous substance” and “notifiable quantity” shall be deleted;

(b) the following definition shall be inserted after the definition of “national scenic area”:-

““notifiable pipe-line” means a pipe-line, as defined in section 65 of the Pipe-lines Act 1962((3)), which contains or is intended to contain a hazardous substance, as defined in regulation 2(1) of the Notification Regulations((4)), except—

(a) a pipe-line the construction of which has been authorised under section 1 of the Pipe-lines Act 1962; or

(1) 1972 c. 52; section 21 was extended by the Local Government, Planning and Land Act 1980 (c. 65), section 148(2) and amended by the Telecommunications Act 1984 (c. 12), Schedule 4, paragraph 54(2); section 21(1) to (3) was substituted by the Planning and Compensation Act 1991 (c. 34), Schedule 13, paragraph 5.
(2) S.I. 1992/223; amended by S.I. 1992/1078 and 2084.
(3) 1962 c. 58.
(4) 1982/1357.

- (b) a pipe-line which contains or is intended to contain no hazardous substance other than—
 - (i) a flammable gas (as specified in item 1 of Part II of Schedule 1 to the Notification Regulations) at a pressure of less than 8 bars absolute; or
 - (ii) a liquid or mixture of liquids, as specified in item 4 of Part II of that Schedule;”.

Permitted development

3. In article 3 of the 1992 Order (permitted development)—

- (a) paragraph (2)(b) shall be deleted;
- (b) for paragraphs (5)(b) and (c) there shall be substituted—
 - “(b) the laying or construction of a notifiable pipe-line, except in the case of the laying or construction of a notifiable pipe-line by a public gas supplier in accordance with Class 39 of Schedule 1.”; and
- (c) paragraphs (6) and (8) shall be deleted.

St. Andrew’s House,
Edinburgh
6th April 1993

Allan Stewart
Parliamentary Under Secretary of State, Scottish
Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 by the deletion of restrictions on permitted development rights relating to development which is likely to involve the presence of hazardous substances, other than the restrictions in relation to certain pipe-lines (the presence of hazardous substances will, in the future, be controlled by the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 (S.I. [1993/323](#)) which come into force on the same date as this amendment.