
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 main changes are:

- (a) Classes 39 and 40 of Schedule 1 are amended to require gas and electricity undertakers to apply for a determination as to whether the prior approval of the planning authority is required for the siting, design and external appearance of a building solely for the protection of plant or machinery;
- (b) a new Part 23 is added to Schedule 1 to grant permitted development rights for the demolition of buildings which are not excluded from these controls by the Town and Country Planning (Demolition which is not Development) (Scotland) Direction 1994. Conditions are attached—
 - (i) where demolition is urgently necessary in the interests of health and safety; and
 - (ii) where demolition is not on land which has planning permission for redevelopment or is not required or permitted by or under any enactment or is not required by an agreement under section 50 of the Town and Country Planning (Scotland) Act 1972. Where the development falls within (ii) above, the developer must apply for a determination as to whether the prior approval of the planning authority is required for the method of the proposed demolition and any proposed restoration of the site;
- (c) a new Part 24 is added to Schedule 1 to grant permitted development rights for the setting up, maintenance, improvement or other alteration of facilities for the collection of tolls. Conditions are attached requiring the developer to apply for a determination as to whether the prior approval of the planning authority is required for the siting, design and external appearance of the proposed toll collection facilities.

A number of minor consequential and technical changes are also made.