4. ERECTION OF INDUSTRIAL BUILDINGS

The Town and Country Planning (Erection of Industrial Buildings) (Scotland) Regulations, 1949

1949 No. 1026 (S. 67)

Made - - - -	*27th May*, 1949
Laid before Parliament	*28th May*, 1949
Coming into Operation	*1st June*, 1949

Whereas by subsection (4) of Section 12 of the Town and Country Planning (Scotland) Act, 1947(**a**), it is provided that an application to the local planning authority for permission to develop land by the erection thereon of an industrial building of any class prescribed by regulations made for the purposes of that subsection by the Board of Trade shall be of no effect unless it is certified by the Board that the development in question can be carried out consistently with the proper distribution of industry, but that no such certificate as aforesaid shall be required in respect of the erection of any industrial building which will cover an area not exceeding five thousand square feet.

And Whereas it is further provided by that subsection that such regulations as aforesaid may direct that no such certificate as aforesaid shall be required in respect of the erection, in any area prescribed by or under the regulations, of industrial buildings of any such class as may be so prescribed.

Now, therefore, the Board of Trade, in pursuance of the powers conferred upon them by the said subsection and all other powers in that behalf enabling them, hereby make the following regulations :—

1. All classes of industrial buildings are prescribed for the purposes of subsection (4) of Section 12 of the Town and Country Planning (Scotland) Act, 1947 ; Provided that the certificate of the Board of Trade referred to in that subsection shall not be required in respect of any application to the local planning authority for permission to develop land in any area by the extension thereon of an industrial building of the following class, that is to say, an industrial building which will cover an area of more than 5,000 square feet and have an aggregate floor space exceeding 5,000 square feet of which not more than 5,000 square feet will be taken up by the aggregate floor space of that extension and every other extension of that building carried out after the 1st day of July, 1948, and within the period of three years ending on the date of the said application to the local planning authority.

2. The Town and Country Planning (Erection of Industrial Buildings) (Scotland) Regulations, 1948(**b**), are hereby revoked.

3. These regulations may be cited as the Town and Country Planning (Erection of Industrial Buildings) (Scotland) Regulations, 1949, and shall come into operation on the 1st day of June, 1949.

Dated this 27th day of May, 1949.

John Edwards,
Parliamentary Secretary to the Board of Trade.

(**a**) 10 & 11 Geo. 6. c. 53.

(**b**) S.I. 1948 (No. 1313) I, p. 4323.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations replace the Town and Country Planning (Erection of Industrial Buildings) (Scotland) Regulations, 1948 (S.I. 1948 No. 1313 (S. 98)) with the addition only of a proviso that a Board of Trade certificate that a particular development can be carried out consistently with the proper distribution of industry shall not be required in support of an application to develop land by the extension of an industrial building which (when extended) will cover an area of more than 5,000 square feet and have a floor space exceeding 5,000 square feet of which the aggregate of the floor space of that extension and every previous extension thereof carried out after the 1st July, 1948, and within three years of that application will not take up more than 5,000 square feet.

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5. MINERALS

The Town and Country Planning (Minerals) (Scotland) Regulations, 1949*

1949 No. 2015 (S. 141)

Made - - - - 14th July, 1949

In exercise of the powers conferred on me by subsection (1) of section 78 and section 107 of the Town and Country Planning (Scotland) Act, 1947(a), and all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations:—

1. These regulations may be cited as the Town and Country Planning (Minerals) (Scotland) Regulations, 1949.

2.—(1) In these regulations the following expressions have the meanings hereby assigned to them—

"the Act" means the Town and Country Planning (Scotland) Act, 1947, as adapted and modified by the Town and Country Planning (Minerals) (Scotland) Regulations, 1948(b);

"the Claims Regulations" means the Claims for Depreciation of Land Values (Scotland) Regulations, 1948 and 1949(c);

"claim" has the meaning assigned to it by the Claims Regulations;

"mining operations" means the winning and working of minerals in, on or under land, whether by surface or underground working, other than such minerals as are mentioned in paragraphs 3 and 4 of Part II of the Third Schedule to the Act and other than minerals vested in the National Coal Board, and "mineral undertaker" means any person engaged in mining operations;

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* These Regulations were approved by Resolution of the House of Commons, 24th October, 1949, and the House of Lords, 26th October, 1949, in accordance with section 78(5) of the Town and Country Planning (Scotland) Act, 1947.

(a) 10 & 11 Geo. 6. c. 53. (b) S.I. 1948 (No. 1525) I, p. 4334.

(c) S.I. 1948 (No. 907) I, p. 4247, S.I. 1948 (No. 2825) I, p. 4255 and S.I. 1949 No. 1193, p. 4054 above.