



Infrastructure Act 2015

2015 CHAPTER 7

PART 5

PLANNING, LAND AND BUILDINGS

Nationally significant infrastructure projects

28 Changes to, and revocation of, development consent orders

- (1) Schedule 6 to the Planning Act 2008 (changes to, and revocation of, orders granting development consent) is amended as follows.
- (2) In paragraph 2 (non-material changes to orders)—
 - (a) in sub-paragraph (8) (duty for Secretary of State to comply with prescribed consultation and publicity requirements) after “Secretary of State” insert “and the person who has made the application under sub-paragraph (4)”, and
 - (b) after that sub-paragraph insert—

“(8A) The power to make regulations under sub-paragraph (8) includes power to allow the Secretary of State or the person who has made the application under sub-paragraph (4) to exercise a discretion.”
- (3) In paragraph 3 (changes to, and revocation of, orders) after sub-paragraph (5) insert—

“(5A) The Secretary of State may refuse to exercise the power on an application made under sub-paragraph (4) or (5) if, in particular, the Secretary of State considers that the development that would be authorised as a result of the change should properly be the subject of an application under section 37 for a development consent order.”
- (4) In paragraph 4 (supplementary provisions about changes to, and revocation of, orders) after sub-paragraph (5) insert—

“(5A) The power to make regulations under sub-paragraph (4) includes power to allow a person to exercise a discretion.”