

Status: Point in time view as at 28/09/2004.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Cross Heading: Part III. (See end of Document for details)

SCHEDULES

SCHEDULE 7

PLANNING IN ENGLAND AND WALES: MINOR AND CONSEQUENTIAL AMENDMENTS

Part III

- 10 (1) In section 56, in subsection (3) after “87(4)” there is inserted “ 89 ”.
(2) In subsection (4) of that section after paragraph (a) there is inserted—
“(aa) any work of demolition of a building;”.

Commencement Information

- I1** Sch. 7 para. 10 wholly in force; para. 10 not in force at Royal Assent see s. 84(2); para. 10(1) wholly in force at 25.9.1991 by S.I. 1991/2067, art. 3; para. 10(2) wholly in force at 27.7.1992 by S.I. 1992/1279, art. 2.

- 11 Section 63 is omitted.

Commencement Information

- I2** Sch. 7 para. 11 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, Sch. 1

- 12 Section 64 is omitted.

Commencement Information

- I3** Sch. 7 para. 12 wholly in force at 27.7.1992 see s. 84(2)(3) and S.I. 1992/1630, art. 2, Sch. 1

- 13 In section 69—
(a) in subsection (1) “made to that authority”, and
(b) in subsection (3) “made to the authority”,
are omitted.

Commencement Information

- I4** Sch. 7 para. 13 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, Sch. 1

- 14 In section 70(3) for “sections 65, 66 and 67” there is substituted “ section 65 ”.

Commencement Information

- I5** Sch. 7 para. 14 wholly in force at 17.7.1992 see s. 84(2) and S.I. 1992/1491, art. 2, Sch. 1

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15 In section 71(4) for the definitions of “agricultural holding” and “owner” there is substituted—

““prescribed” means prescribed by a development order”.

Commencement Information

I6 Sch. 7 para. 15 wholly in force at 17.7.1992 see s. 84(2) and S.I. 1992/1491, art. 2, Sch. 1

16 (1) After section 73 there is inserted—

“73A Planning permission for development already carried out.

(1) On an application made to a local planning authority, the planning permission which may be granted includes planning permission for development carried out before the date of the application.

(2) Subsection (1) applies to development carried out—

- (a) without planning permission;
- (b) in accordance with planning permission granted for a limited period; or
- (c) without complying with some condition subject to which planning permission was granted.

(3) Planning permission for such development may be granted so as to have effect from—

- (a) the date on which the development was carried out; or
- (b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.”

Commencement Information

I7 Sch. 7 para. 16 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, Sch. 1

17 In section 74(2) “section 71 of this Act and” is omitted.

Commencement Information

I8 Sch. 7 para. 17 wholly in force at 17.7.1992 see s. 84(2) and S.I. 1992/1491, art. 2, Sch. 1

18 In section 77(4) for “65(2) and (9), 66, 67, 70, 71(1) and (2), 72(1) and (5) and 73” there is substituted “ 70, 72(1) and (5), 73 and 73A ” and at the end there is inserted “ and a development order may apply, with or without modifications, to an application so referred any requirements imposed by such an order by virtue of section 65 or 71 ”.

Commencement Information

I9 Sch. 7 para. 18 wholly in force; para. 18 not in force at Royal Assent see s. 84(2); para. 18 in force to a certain extent at 2.1.1992 by S.I. 1991/2905, art. 3, Sch 1 (subject to art. 5 of that S.I.); para. 18 in force at 17.7.1992 insofar as not already in force by S.I. 1992/1491, art. 2, Sch. 1

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- 19 In section 79(4) for “66, 67, 70, 71(2), 72(1) and (5) and 73” there is substituted “70, 72(1) and (5), 73 and 73A” and at the end there is inserted “ and a development order may apply, with or without modifications, to such an appeal any requirements imposed by a development order by virtue of section 65 or 71 ”.

Commencement Information

I10 Sch. 7 para. 19 wholly in force; para. 19 not in force at Royal Assent see s. 84(2); in force to a certain extent at 2.1.1992 by S.I. 1991/2905, arts. 3, Sch. 1 (subject to art. 5 of that S.I.); in force at 17.7.1992 insofar as not already in force by S.I. 1992/1491, art. 2, Sch. 1

- 20 In section 91(4)(b), for the words from “granted” to the end there is substituted “ granted for development carried out before the grant of that permission ”.

Commencement Information

I11 Sch. 7 para. 20 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, Sch. 1

- 21 In section 102, for subsections (4) and (5) there is substituted—
- “(4) The planning permission which may be granted by an order under this section includes planning permission, subject to such conditions as may be specified in the order, for development carried out before the date on which the order was submitted to the Secretary of State under section 103.
- (5) Planning permission for such development may be granted so as to have effect from—
- (a) the date on which the development was carried out; or
 - (b) if it was carried out in accordance with planning permission granted for a limited period, the end of that period.”

Commencement Information

I12 Sch. 7 para. 21 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, Sch. 1

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