

Status: Point in time view as at 01/04/2010.

Changes to legislation: Planning Act 2008, Part 1 is up to date with all changes known to be in force on or before 20 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 5

PROVISION RELATING TO, OR TO MATTERS ANCILLARY TO, DEVELOPMENT

PART 1

THE MATTERS

- 1 The acquisition of land, compulsorily or by agreement.

Commencement Information

I1 Sch. 5 para. 1 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 2 The creation, suspension or extinguishment of, or interference with, interests in or rights over land (including rights of navigation over water), compulsorily or by agreement.

Commencement Information

I2 Sch. 5 para. 2 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 3 The abrogation or modification of agreements relating to land.

Commencement Information

I3 Sch. 5 para. 3 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 4 Carrying out specified excavation, mining, quarrying or boring operations in a specified area.

Commencement Information

I4 Sch. 5 para. 4 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 5 The operation of a generating station.

Commencement Information

I5 Sch. 5 para. 5 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 6 Keeping electric lines installed above ground.

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Commencement Information

I6 Sch. 5 para. 6 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

7 The use of underground gas storage facilities.

Commencement Information

I7 Sch. 5 para. 7 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

8 The sale, exchange or appropriation of Green Belt land.

Commencement Information

I8 Sch. 5 para. 8 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

9 Freeing land from any restriction imposed on it by or under the Green Belt (London and Home Counties) Act 1938 (c. xciii), or by a covenant or other agreement entered into for the purposes of that Act.

Commencement Information

I9 Sch. 5 para. 9 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

10 The protection of the property or interests of any person.

Commencement Information

I10 Sch. 5 para. 10 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

11 The imposition or exclusion of obligations or liability in respect of acts or omissions.

Commencement Information

I11 Sch. 5 para. 11 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

12 Carrying out surveys or taking soil samples.

Commencement Information

I12 Sch. 5 para. 12 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

13 Cutting down, uprooting, topping or lopping trees or shrubs or cutting back their roots.

Commencement Information

I13 Sch. 5 para. 13 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

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14 The removal, disposal or re-siting of apparatus.

Commencement Information

I14 Sch. 5 para. 14 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

15 Carrying out civil engineering or other works.

Commencement Information

I15 Sch. 5 para. 15 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

16 The diversion of navigable or non-navigable watercourses.

Commencement Information

I16 Sch. 5 para. 16 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

17 The stopping up or diversion of highways.

Commencement Information

I17 Sch. 5 para. 17 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

18 Charging tolls, fares and other charges.

Commencement Information

I18 Sch. 5 para. 18 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

19 The designation of a highway as a trunk road or special road.

Commencement Information

I19 Sch. 5 para. 19 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

20 The specification of the classes of traffic authorised to use a highway.

Commencement Information

I20 Sch. 5 para. 20 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

21 The appropriation of a highway for which the person proposing to construct or improve a highway is the highway authority.

Commencement Information

I21 Sch. 5 para. 21 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

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- 22 The transfer to the person proposing to construct or improve a highway of a highway for which that person is not the highway authority.

Commencement Information

I22 Sch. 5 para. 22 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 23 The specification of the highway authority for a highway.

Commencement Information

I23 Sch. 5 para. 23 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 24 The operation and maintenance of a transport system.

Commencement Information

I24 Sch. 5 para. 24 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 25 Entering into an agreement for the provision of police services.

Commencement Information

I25 Sch. 5 para. 25 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 26 The discharge of water into inland waters or underground strata.

Commencement Information

I26 Sch. 5 para. 26 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 27 Deeming consent under section 34 of the Coast Protection Act 1949 (c. 74) to have been given by the Secretary of State for operations specified in the order and subject to such conditions as may be specified in the order.

Commencement Information

I27 Sch. 5 para. 27 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 28 Deeming any such conditions to have been imposed by the Secretary of State under that section.

Commencement Information

I28 Sch. 5 para. 28 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

- 29 Deeming a licence under Part 2 of the Food and Environment Protection Act 1985 (c. 48) to have been issued by a specified licensing authority for operations specified in the order and subject to such provisions as may be specified in the order.

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Commencement Information

I29 Sch. 5 para. 29 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

30 Deeming any such provisions to have been included in the licence by the specified licensing authority by virtue of that Act.

Commencement Information

I30 Sch. 5 para. 30 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

[^{F1}30A Deeming a marine licence under Part 4 of the Marine and Coastal Access Act 2009 to have been given by the Secretary of State for activities specified in the order and subject to such conditions as may be specified in the order.

Textual Amendments

F1 Sch. 5 paras. 30A, 30B inserted (12.11.2009 for specified purposes, 6.4.2011 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), s. 324(1)(c)(d), Sch. 8 para. 4(5) (with s. 111); S.I. 2011/556, art. 3(2)(a)

30B Deeming any such conditions to have been attached to the marine licence by the Secretary of State under that Part.]

Textual Amendments

F1 Sch. 5 paras. 30A, 30B inserted (12.11.2009 for specified purposes, 6.4.2011 in so far as not already in force) by Marine and Coastal Access Act 2009 (c. 23), s. 324(1)(c)(d), Sch. 8 para. 4(5) (with s. 111); S.I. 2011/556, art. 3(2)(a)

31 The creation of a harbour authority.

Commencement Information

I31 Sch. 5 para. 31 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

32 Changing the powers and duties of a harbour authority.

Commencement Information

I32 Sch. 5 para. 32 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

33 The transfer of property, rights, liabilities, or functions.

Commencement Information

I33 Sch. 5 para. 33 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

34 The transfer, leasing, suspension, discontinuance and revival of undertakings.

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Commencement Information

I34 Sch. 5 para. 34 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

35 The payment of contributions.

Commencement Information

I35 Sch. 5 para. 35 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

36 The payment of compensation.

Commencement Information

I36 Sch. 5 para. 36 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

37 The submission of disputes to arbitration.

Commencement Information

I37 Sch. 5 para. 37 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

38 The alteration of borrowing limits.

Commencement Information

I38 Sch. 5 para. 38 in force at 1.3.2010 by S.I. 2010/101, art. 3(e) (with art. 6)

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