



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

Development orders

59 Development orders: general.

- (1) The Secretary of State shall by order (in this Act referred to as a “development order”) provide for the granting of planning permission.
- (2) A development order may either—
 - (a) itself grant planning permission for development specified in the order or for development of any class specified; or
 - (b) in respect of development for which planning permission is not granted by the order itself, provide for the granting of planning permission by the local planning authority (or, in the cases provided in the following provisions, by the Secretary of State) on application to the authority in accordance with the provisions of the order.
- (3) A development order may be made either—
 - (a) as a general order applicable, except so far as the order otherwise provides, to all land, or
 - (b) as a special order applicable only to such land or descriptions of land as may be specified in the order.

Subordinate Legislation Made

P1 S. 59: power previously exercised by [S.I. 1990/2032](#)

P2 S. 59: s. 59 (with ss. 60(1), 61(1) and 333(7)) power exercised by [S.I. 1991/1536](#)

Status: Point in time view as at 06/04/2012.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Development orders is up to date with all changes known to be in force on or before 20 July 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)

60 Permission granted by development order.

- (1) Planning permission granted by a development order may be granted either unconditionally or subject to such conditions or limitations as may be specified in the order.
- (2) Without prejudice to the generality of subsection (1), where planning permission is granted by a development order for the erection, extension or alteration of any buildings, the order may require the approval of the local planning authority to be obtained with respect to the design or external appearance of the buildings.
- (3) Without prejudice to the generality of subsection (1), where planning permission is granted by a development order for development of a specified class, the order may enable the Secretary of State or the local planning authority to direct that the permission shall not apply either—
 - (a) in relation to development in a particular area, or
 - (b) in relation to any particular development.
- (4) Any provision of a development order by which permission is granted for the use of land for any purpose on a limited number of days in a period specified in that provision shall (without prejudice to the generality of references in this Act to limitations) be taken to be a provision granting permission for the use of land for any purpose subject to the limitation that the land shall not be used for any one purpose in pursuance of that provision on more than that number of days in that period.

Subordinate Legislation Made

P3 S. 60 power previously exercised by [S.I. 1990/2032](#)

P4 S. 60(1): s. 59 (with ss. 60(1), 61(1) and 333(7)) power exercised by [S.I. 1991/1536](#)

61 Development orders: supplementary provisions.

- (1) A general development order may make different provision with respect to different descriptions of land.
- (2) For the purpose of enabling development to be carried out in accordance with planning permission, or otherwise for the purpose of promoting proper development in accordance with the development plan, a development order may direct that any pre 1947 Act enactment, or any regulations, orders or byelaws made at any time under any such enactment—
 - (a) shall not apply to any development specified in the order, or
 - (b) shall apply to it subject to such modifications as may be so specified.
- (3) In subsection (2) “pre 1947 Act enactment” means—
 - (a) any enactment passed before 6th August 1947 (the date of the passing of the 1947 Act), and
 - (b) any enactment contained in the ^{M1}Highways Act 1980 which—
 - (i) is an enactment derived from the ^{M2}Highways Act 1959, and
 - (ii) re-enacts (with or without modifications) any such enactment as is mentioned in paragraph (a).

Status: Point in time view as at 06/04/2012.

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Subordinate Legislation Made

P5 S. 61(1): s. 59 (with ss. 60(1), 61(1) and 333(7)) power exercised by [S.I. 1991/1536](#)

Marginal Citations

M1 [1980 c. 66.](#)

M2 [1959 c. 25.](#)

Status:

Point in time view as at 06/04/2012.

Changes to legislation:

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