



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III **E+W**

CONTROL OVER DEVELOPMENT

Determination of applications

76 **Duty to draw attention to certain provisions for benefit of disabled.** **E+W**

- (1) This section applies when planning permission is granted for any development which will result in the provision—
- (a) of a building or premises to which section 4 of the ^{M1}Chronically Sick and Disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);
 - (b) of any of the following (being in each case, premises in which persons are employed to work)—
 - (i) office premises, shop premises and railway premises to which the ^{M2}Offices, Shops and Railway Premises Act 1963 applies;
 - (ii) premises which are deemed to be such premises for the purposes of that Act; or
 - (iii) factories as defined by section 175 of the ^{M3}Factories Act 1961;
 - (c) of a building intended for the purposes of a university, university college or college, or of a school or hall of a university;
 - (d) of a building intended for the purposes of an institution within [^{F1}the higher education sector within the meaning of section 91(5) of the Further and Higher Education Act 1992]; or
 - (e) of a building intended for the purposes of a school or an institution which provides higher education or further education (or both) and is maintained or assisted by a local education authority.

[^{F2}(f) of a building intended for the purposes of an institution within the further education sector within the meaning of section 91(3) of the Further and Higher Education Act 1992]

Status: Point in time view as at 21/12/2001. This version of this provision has been superseded.

Changes to legislation: Town and Country Planning Act 1990, Section 76 is up to date with all changes known to be in force on or before 13 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)

- (2) The local planning authority granting the planning permission shall draw the attention of the person to whom the permission is granted—
- (a) in the case of such a building or premises as are mentioned in subsection (1)(a)—
 - (i) to sections 4 and 7 of the ^{M4}Chronically Sick and Disabled Persons Act 1970; and
 - (ii) to the Code of Practice for Access of the Disabled to Buildings (British Standards Institution code of practice BS 5810: 1979) or any prescribed document replacing that code;
 - (b) in the case of such premises as are mentioned in subsection (1)(b), to sections 7 and 8A of that Act and to that code or any such prescribed document replacing it;
 - (c) in the case of such a building as is mentioned in subsection (1)(c), (d) or (e), to sections 7 and 8 of that Act and to Design Note 18 “Access for Disabled People to Educational Buildings” published in 1984 on behalf of the Secretary of State, or any prescribed document replacing that note.
- [^{F3}(3) Expressions used in subsection (1)(e) and in the ^{M5}Education Act 1996 have the same meanings as in that Act.]

Textual Amendments

- F1** Words in s. 76(1)(d) substituted (1.4.1993) by [Further and Higher Education Act 1992 \(c. 13\), s. 93, Sch. 8 para. 94\(a\)](#); S.I. 1992/831, art. 2, [Sch. 3](#)
- F2** S. 76(1)(f) inserted (1.4.1993) by [Further Education Act 1992 \(c. 13\), s. 93, Sch. 8 para. 94\(b\)](#); S.I. 1992/831, art. 2, [Sch. 3](#)
- F3** S. 76(3) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), [Sch. 37 Pt. I para. 99](#) (with s. 1(4), Sch. 39)

Modifications etc. (not altering text)

- C1** S. 76: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\)](#), [Sch. 1](#)

Marginal Citations

- M1** 1970 c. 44.
M2 1963 c. 41.
M3 1961 c. 34.
M4 1970 c. 44.
M5 1996 c. 56.

Status:

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Changes to legislation:

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