



Planning and Compensation Act 1991

1991 CHAPTER 34

PART II

TOWN AND COUNTRY PLANNING - SCOTLAND

Control over development

48 Assessment of environmental effects.

After section 26 of the 1972 Act there is inserted—

“26B Assessment of environmental effects.

- (1) The Secretary of State may by regulations under this Act make provision about the consideration to be given, before planning permission for development of any class specified in the regulations is granted, to the likely environmental effects of the proposed development.
- (2) The regulations—
 - (a) may make the same provision as, or provision similar or corresponding to, any provision made, for the purposes of any Community obligation of the United Kingdom about the assessment of the likely effects of development on the environment, under section 2(2) of the ^{M1}European Communities Act 1972; and
 - (b) may make different provisions for different classes of development.
- (3) Where a draft of regulations made in exercise both of the power conferred by this section and the power conferred by section 2(2) of the European Communities Act 1972 is approved by resolution of each House of Parliament, no statutory instrument containing such regulations shall be subject to annulment by virtue of subsection (2) of section 273 (regulations and orders) of this Act.”

Status: Point in time view as at 24/01/1992. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Section 48. (See end of Document for details)

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Commencement Information

II S. 48 wholly in force at 25.9.1991 see s. 84(2)(3) and S.I. 1991/2092, art. 3

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Marginal Citations

M1 1972 c. 68.

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