

*Status: Point in time view as at 01/03/2010.*

*Changes to legislation: Planning Act 2008, Cross Heading: Examination of matters by Commission: procedure is up to date with all changes known to be in force on or before 30 June 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 3

#### EXAMINATION OF APPLICATIONS BY SECRETARY OF STATE

##### *Examination of matters by Commission: procedure*

- 1 (1) This paragraph applies if—
  - (a) the Secretary of State gives a direction under section 112(1) in relation to an application, and
  - (b) for the purpose of the examination of the application under section 113(2)(a), the Secretary of State gives a direction under section 113(3)(a) for specified matters to be examined by the Commission.
- (2) The Commission must secure that—
  - (a) an examination of the specified matters is conducted by a Panel or a single Commissioner, and
  - (b) a report is made by the Panel or Commissioner to the Secretary of State setting out the Panel or Commissioner's findings and conclusions on those matters.
- (3) The Panel or single Commissioner must—
  - (a) complete the examination under sub-paragraph (2)(a) by the end of the period specified by the Secretary of State, and
  - (b) report under sub-paragraph (2)(b) by the end of the period specified by the Secretary of State.
- (4) The Secretary of State may direct that things done in connection with the examination of the application under Chapter 2 or 3 of Part 6 are to be treated as done in connection with the examination under sub-paragraph (2)(a).
- (5) The following provisions of Part 6 apply in relation to the specified matters as if for references to an application for an order granting development consent there were substituted references to the specified matters—
  - (a) in Chapter 1, sections 61(2) to (5), 62 and 63;
  - (b) in Chapter 2, sections 64 (except subsection (1)(a)), 65 to 73, 74(2) to (4) and 75 to 77;
  - (c) in Chapter 3, sections 78 (except subsection (1)(a)), 79 to 82 and 83 (except subsection (2)(a));
  - (d) in Chapter 4, sections 86 to 97 and 99 to 102.
- (6) As applied by sub-paragraph (5), those provisions apply—
  - (a) with any necessary modifications, and
  - (b) with such other modifications as may be prescribed.

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#### **Commencement Information**

**II** Sch. 3 para. 1 in force at 1.3.2010 by S.I. 2010/101, art. 3(d) (with art. 6)

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