

1988 No. 1272

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning General Development
(Amendment) Order 1988**

<i>Made - - - -</i>	<i>21st July 1988</i>
<i>Laid before Parliament</i>	<i>28th July 1988</i>
<i>Coming into force</i>	<i>18th August 1988</i>

The Secretary of State for the Environment as respects England, and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 24, 31 and 287(3) of the Town and Country Planning Act 1971(a), and of all other powers enabling them in that behalf, hereby make the following Order:

Citation and commencement

1. This Order may be cited as the Town and Country Planning General Development (Amendment) Order 1988 and shall come into force on 18th August 1988.

Amendment of the General Development Order

2. The Town and Country Planning General Development Order 1977(b) shall be amended by substituting, for article 10(2), the following—

“ (2) Without prejudice to the generality of paragraph (1), the Secretary of State may in particular give directions—

- (a) that particular proposed development of a description set out in Schedule 1 or Schedule 2 to the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 is exempted from the application of those Regulations;
- (b) as to whether particular proposed development is or is not development in respect of which those Regulations require the consideration of environmental information (defined in those Regulations) before planning permission can be granted; or
- (c) that development of any class described in the direction is development in respect of which those Regulations require the consideration of such information before such permission can be granted.

(3) A local planning authority shall deal with applications for planning permission for development to which a direction given under this article applies in such manner as to give effect to the direction.”

(a) 1971 c.78; section 31 was extended by regulation 3 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 (S.I. 1988/1199).

(b) S.I. 1977/289, to which there are amendments not relevant to this Order.

19th July 1988

Nicholas Ridley
Secretary of State for the Environment

21st July 1988

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is linked with the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 ("the 1988 Regulations"), which are concerned with the implementation in England and Wales of the provisions of Council Directive 85/337/EEC (OJ No. L175, 5.7.85, p.40) on the assessment of the effects of certain public and private projects on the environment.

The Order amends the Town and Country Planning General Development Order 1977 to enable the Secretary of State to direct that development of a description set out in Schedule 1 or 2 to the 1988 Regulations is exempt development to which those Regulations do not apply; that particular proposed development is, or is not, development in respect of which the consideration of environmental information is required by those Regulations before planning permission can be granted; and that development of any class is development in respect of which the consideration of such information is so required.

Regulation 2 of the 1988 Regulations defines "environmental information" to include a statement by the person seeking planning permission (conforming with Schedule 3 to those Regulations) of the likely significant environmental effects of the proposed development and representations made by bodies consulted and others.

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