

SCHEDULE 4

WASTE FRAMEWORK DIRECTIVE etc.

PART I

GENERAL

Modifications of Part I of the Control of Pollution Act 1974

10.—(1) Part I of the Control of Pollution Act 1974 shall have effect, in a case where the planning permission referred to in section 5(3) of that Act does not result from the taking of a specified action by a planning authority after 30th April 1994, as if the duty imposed upon the disposal authority by that subsection was a duty not to reject the application unless the authority is satisfied that its rejection is necessary for the purpose of preventing—

- (a) pollution of the environment;
- (b) danger to public health; or
- (c) serious detriment to the amenities of the locality.

(2) In sub-paragraph (1) above, “pollution of the environment” has the same meaning as in Part II of the 1990 Act⁽¹⁾.

(3) Part I of the Control of Pollution Act 1974 shall have effect as if any reference in that Part to waste included a reference to Directive waste.

(1) See section 29.