
STATUTORY INSTRUMENTS

2004 No. 932

**The Milton Keynes (Urban Area
and Planning Functions) Order 2004**

Transitional provision: planning applications

6.—(1) Paragraphs (2) and (3) of this article apply as respects any application for planning permission, or for a consent, approval or determination under the 1990 Act or any order or regulation made or having effect under that Act which—

- (a) is for development of a kind specified in article 4(1);
- (b) was duly made before this Order came into force to an authority which ceases by virtue of the preceding provisions of this Order to be the planning authority responsible for determining the application (“the previous authority”); and
- (c) has not been determined when this Order comes into force.

(2) The previous authority shall transmit any application to which paragraph (1) applies to the Agency for determination.

(3) Where the previous authority transmits an application to the Agency, the application shall be treated as received by the Agency from the applicant on the day on which it is transmitted to the Agency.

(4) If, after this Order comes into force,—

- (a) an application is made to an authority which has ceased by virtue of the preceding provisions of this Order to be the local planning authority in relation to the kinds of development specified in article 4(1); and
- (b) that authority consider that the application is for development of a kind specified in article 4(1),

that authority shall transmit the application to the Agency for determination.

(5) Where an appeal is made to the Secretary of State under section 78 of the 1990 Act against a decision, determination made or failure to make such decision or determination in relation to land within a designated area by an authority which ceased by virtue of the preceding provisions of this Order to be the local planning authority responsible for making such decisions or determinations, that authority—

- (a) shall continue to be the local planning authority for the purposes of the appeal; but
- (b) shall notify the Agency of the appeal and transmit to the Secretary of State any representations received from the Agency.