

2007 No. 1844

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2007

<i>Made</i>	- - - -	<i>26th June 2007</i>
<i>Laid before Parliament</i>		<i>3rd July 2007</i>
<i>Coming into force</i>	- -	<i>21st August 2007</i>

The Secretary of State for Communities and Local Government makes the following Order in exercise of the powers conferred by sections 59 and 333(7) of the Town and Country Planning Act 1990(a):

Citation, commencement and application

1.—(1) This Order may be cited as the Town and Country Planning (General Development Procedure) (Amendment) (England) Order 2007 and shall come into force on 21st August 2007.

(2) This Order applies in relation to England only.

Amendment of Order

2.—(1) The Town and Country Planning (General Development Procedure) Order 1995(b) is amended as follows.

(2) In article 2B(15)—

- (a) at the end of sub-paragraph (a) insert “or”; and
- (b) omit sub-paragraph (c) and “; or” preceding that sub-paragraph.

Signed by authority of the Secretary of State for
Communities and Local Government

26th June 2007

Kay Andrews
Parliamentary Under-Secretary of State
Department for Communities and Local Government

(a) 1990 c.8. The functions of the Secretary of State under those sections are now vested in the Welsh Ministers, so far as they are exercisable in relation to Wales. They were previously transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); see the entry in Schedule 1 for the Town and Country Planning Act 1990. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), they were transferred to the Welsh Ministers.

(b) S.I. 1995/419. Article 2B was inserted by S.I. 2006/1062.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends, as regards England only, the Town and Country Planning (General Development Procedure) Order 1995 by omitting sub-paragraph (c) of article 2B(15). That sub-paragraph prohibits the making of a local development order which would grant planning permission for development that is likely to have a significant effect on a European site as defined in regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994 (S.I. 1994/2716). The revocation is consequential on regulation 5(36) of the Conservation (Natural Habitats, &c.) (Amendment) Regulations (S.I. 2007/1843), which inserts provision to similar effect as article 2B(15)(c) in regulation 64A of the 1994 Regulations.

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