
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Planning Act 2008 (c.29) establishes the Infrastructure Planning Commission and provides for the granting of development consent for certain types of nationally significant infrastructure projects.

These Regulations deal with miscellaneous matters which may be prescribed under the Act in connection with that regime. Regulation 2 prescribes for the purposes of section 150 of the Act a list of consents or authorisations that the Commission must first seek consent from the consenting body before including a provision in a development consent order, the effect of which is to remove a requirement for any of the prescribed consents or authorisations to be granted. Regulation 3 deals with matters relating to the duration of a development consent order. Regulation 4 removes the activity of measuring or marking out a proposed road from the definition of “material operation” for the purposes of section 155 of the Act. (Section 155 states that a development is taken to begin on the earliest date on which a material operation begins to be carried out). Regulation 5 applies provisions of the Public Health Act 1936 in relation to steps that might need to be taken in a case where there is a notice of unauthorised development. Regulation 6 applies equivalent provisions for Scotland.

An impact assessment has not been prepared for these regulations as they do not have additional impact on business, charities or the public sector beyond what was examined in the Impact Assessment that accompanied the Planning Bill when it was introduced in Parliament on the 27th November 2007. That assessment can be found on the Communities and Local Government website (<http://communities.gov.uk>).