
STATUTORY INSTRUMENTS

2015 No. 760

The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) (Amendment) Regulations 2015

Amendments to the 2011 Regulations relating to applications for a change, which is not material, to a development consent order

3.—(1) In regulation 4—

(a) before paragraph (2)(g), insert—

“(ff) the consultation and publicity statement referred to in regulation 7A;”;

(b) in paragraph (3), omit “(not smaller than 1:2500)”; and

(c) after paragraph (4), insert—

“(4A) Subject to paragraph (4B), unless the Secretary of State specifies otherwise any plans, drawings or sections required to be provided under paragraph (2) shall be provided at a scale not smaller than 1:2500.

(4B) Paragraph (4A) does not apply to a plan or to a sheet of a plan where the matters shown or identified on the plan or sheet are entirely in the UK marine area.

(4C) In paragraph (4B), “UK marine area” has the same meaning as in section 42 of the Marine and Coastal Access Act 2009(1).”

(2) For regulation 5, substitute—

“Fee for application

5.—(1) The Secretary of State must charge the applicant a fee of £6,891 in respect of an application.

(2) The fee must be paid at the same time that the application is made.

(3) If the applicant fails to pay the fee the Secretary of State need not consider the application until payment is received by the Secretary of State.”

(3) In regulation 6—

(a) in paragraph (1), for “Secretary of State” substitute “applicant”;

(b) for paragraph (1)(b) substitute—

“(b) in any other publication necessary in order to ensure that notice of the application is given in the vicinity of the land.”;

(c) for paragraph (2)(b), substitute “a statement that the applicant is seeking, by way of an application to the Secretary of State, a change to be made to a development consent order which is not material”; and

(d) for paragraph (2)(d) substitute—

“(d) a statement that any documents, plans and maps showing the nature and location of the land, and accompanying the application, are available for

inspection on a website and also, free of charge, at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;”.

- (4) In regulation 7—
 - (a) in paragraph (1) for “Secretary of State” substitute “applicant”;
 - (b) for paragraph (2)(c) substitute—
 - “(c) any other person who may be directly affected by the changes proposed in the application.”; and
 - (c) for paragraph (3) substitute—
 - “(3) The applicant need not consult a person or authority specified above if they have obtained the written consent of the Secretary of State.”
- (5) After regulation 7, insert—

“Consultation and publicity statement

- 7A.—**(1) The applicant must provide the Secretary of State with—
 - (a) a copy of the notice referred to in regulation 6; and
 - (b) a statement setting out details of the steps the applicant has taken to comply with the requirements of regulations 6 and 7.
- (2) If the applicant fails to provide the Secretary of State with the items referred to in paragraph (1), the Secretary of State need not consider the application until those items have been received by the Secretary of State.”