
STATUTORY INSTRUMENTS

2020 No. 1398

The Town and Country Planning (Local Planning, Development Management Procedure, Listed Buildings etc.) (England) (Coronavirus) (Amendment) Regulations 2020

PART 3

Amendments to the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020

Amendment to the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020

5. For Part 5 of the Town and Country Planning (Development Management Procedure, Listed Buildings and Environmental Impact Assessment) (England) (Coronavirus) (Amendment) Regulations 2020(1) (expiry), substitute—

“PART 5

Expiry and saving provisions

Expiry

18.—(1) These Regulations expire at the end of 31st December 2021, except as provided for in paragraphs (2) to (4).

(2) The following regulations expire at the end of 30th June 2021—

- (a) regulations 4 and 5;
- (b) regulation 9(2) in so far as it inserts paragraphs (1C) to (1F) into regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (“the 1990 Regulations”);
- (c) regulation 10(2);
- (d) regulations 10(3) in so far as it inserts paragraphs (2ZA) to (2ZD) into regulation 5A of the 1990 Regulations;
- (e) regulation 11 in so far as it inserts paragraphs (4ZA) to (4ZD) into regulation 13 of the 1990 Regulations.

(3) The regulations in Part 4 expire at the beginning of 24th December 2020.

- (4) This regulation is subject to regulations 19 to 21 (saving provisions).

Saving provisions

The Town and Country Planning (Development Management Procedure) (England) Order 2015

19.—(1) Where a local planning authority has commenced the publicity of an application under article 15(7B) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the Order”) before the end of 30th June 2021, regulations 4 and 5 of these Regulations continue to have effect in relation to that application as if they had not expired.

(2) In relation to an application to which article 15(1A), (2) (4), (4A) and (5) of the Order applies, where—

- (a) an entry in relation to that application has been made on the register in accordance with article 40(3) of the Order; and
- (b) before the end of 31st December 2021, article 40(16) of the Order applies,

regulation 6 of these Regulations continues to have effect in relation to that application as if it had not expired.

(3) In relation to an application to which article 15(1A) of the Order applies, where before the end of 31st December 2021—

- (a) the local planning authority has commenced the publicity of the application under article 15(1A) of the Order; and
- (b) the applicant has notified the local planning authority under regulation 23A(2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“the 2017 Regulations”) that any notices should state that the environmental statement is available on the website under article 15(7) of the Order,

a notice which does not state an address where copies can be obtained remains valid, notwithstanding the expiry of regulation 23A of the 2017 Regulations.

The Planning (Listed Buildings and Conservation Areas) Regulations 1990

20.—(1) Where, in relation to an application to which regulation 5 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (“the 1990 Regulations”) applies, the local planning authority has commenced the advertisement of the application under regulation 5(1D) of those Regulations before the end of 30th June 2021, regulation 9(2) of these regulations, in so far as it inserts paragraphs (1C) to (1F), continues to have effect in relation to that application, as if it had not expired.

(2) Where, in relation to an application to which regulation 5 of the 1990 Regulations applies, the local planning authority has commenced the advertisement of the application under regulation 5 of those Regulations before the end of 31st December 2021—

- (a) regulation 9(2) of these regulations, in so far as it inserts paragraphs (1G) and (1H), continues to have effect as if it had not expired; and
- (b) regulation 9(3) continues to have effect as if it had not expired.

(3) Where, in relation to an application to which regulation 5A of the 1990 Regulations applies, the local planning authority has commenced the advertisement of the application under regulation 5A(2ZB) of those Regulations before the end of 30th June 2021—

- (a) regulation 10(2) of these regulations continues to have effect as if it had not expired; and
 - (b) regulation 10(3) of these regulations, in so far as it inserts paragraphs (2ZA) to (2ZB) continues to have effect as if it had not expired.
- (4) Where, in relation to an application to which regulation 5A of the 1990 Regulations applies, the local planning authority has commenced the advertisement of the application under regulation 5A(2) of those Regulations before the end of 31st December 2021—
- (a) regulation 10(3) in so far as it inserts paragraphs (2ZE) and (2ZF) continue to have effect in relation to that application as if it had not expired; and
 - (b) regulation 10(4) continues to have effect in relation to that application as if it had not expired.
- (5) Where, in relation to an application to which regulation 13 of the 1990 Regulation applies, the local planning authority has commenced the publicity of the application under regulation 13(4ZB) of those Regulations before the end of 30th June 2021, regulation 11 of these Regulations, in so far as it inserts paragraphs (4ZA) to (4ZD), continues to have effect in relation to that application as if it had not expired.
- (6) Where, in relation to an application to which regulation 13 of the 1990 Regulations applies, the local planning authority has commenced publicity of the application under regulation 13(4) of those Regulations before the end of 31st December 2021, regulation 11 of these Regulations, in so far as it inserts paragraphs (4ZE) and (4ZF), continues to have effect in relation to that application as if it had not expired.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

- 21.** Where the recipient of information has commenced publicity of that information under regulation 25(13) of the Town and Country Planning (Environmental Impact Assessment Regulations 2017 (“the 2017 Regulations”) before 24th December 2020
- (a) regulation 17 of these Regulations continues to have effect in relation to that information as if it had not expired; and
 - (b) in a case falling within—
 - (i) regulation 25(12)(b) of the 2017 Regulations, the recipient of the information is discharged from the obligation to provide an address under regulation 25(3)(g) of those Regulations;
 - (ii) regulation 25(12)(c) of the 2017 Regulations, an applicant or appellant who provides the information is discharged from the obligation in regulation 25(8)(a) of those Regulations.”.