

2011 No. 1589

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning General (Amendment)
(England) Regulations 2011**

<i>Made</i>	- - - -	<i>28th June 2011</i>
<i>Laid before Parliament</i>		<i>4th July 2011</i>
<i>Coming into force</i>	- -	<i>1st August 2011</i>

The Secretary of State, in exercise of the powers conferred by sections 316, 333(1) and (2A) of the Town and Country Planning Act 1990(a), makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning General (Amendment) (England) Regulations 2011, and shall come into force on 1st August 2011.

(2) These Regulations apply in relation to England only.

Effect of planning permission: exclusion of certain interested authorities

2. After regulation 9A of the Town and Country Planning General Regulations 1992(b) insert—

“Exclusion of interested planning authorities from regulation 9

9AA. Regulation 9 shall not apply where the interested planning authority is an urban development corporation(c).”.

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

Bob Neill

Parliamentary Under Secretary of State

Department for Communities and Local Government

28th June 2011

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- (a) 1990 c.8; section 316 was substituted by section 20 of the Planning and Compensation Act 1991 (c.34); see section 336(1) for the definition of “prescribed”. These powers 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, and Schedule 1 to, 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 (c.8) as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order 2000 (S.I. 2000/253). By virtue of paragraphs 30 and 32 of Schedule 1 to the Government of Wales Act 2006 (c.32), these powers were transferred to the Welsh Ministers.
- (b) S.I. 1992/1492: relevant amending instruments are S.I. 1992/1982 and S.I. 1998/2800.
- (c) By virtue of section 336 of the Town and Country Planning Act 1990, for the purposes of that Act and regulations made under it, “urban development corporation” has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (c. 65)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These regulations amend the Town and Country Planning General Regulations 1992, for England only.

Generally, planning permission enures for the benefit of the land. Regulation 9 (effect of planning permission) of the 1992 Regulations makes an exception to this. Where an interested planning authority grants itself planning permission for its own development, the permission enures only for the benefit of the authority or, in the case of joint development, the authority and the other person specified in the application for planning permission as the joint developer.

These Regulations exclude from the ambit of regulation 9 interested planning authorities which are urban development corporations (regulation 2).

An impact assessment has not been prepared in relation to this Order as no adverse impact on business, the third sector or local authorities is foreseen.

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