SCHEDULES

SCHEDULE 4

TRANSITIONAL PROVISIONS: CROWN APPLICATION

PART 1

THE PRINCIPAL ACT

Introduction

1 This Part applies to a development if—

(a) it is a development for which before the relevant date no planning permission is required,

(b) it is not a development or of a description of development for which planning permission is granted by virtue of a development order, and

(c) before the relevant date proposed development notice had been given to the local planning authority.

2 In this Part—

(a) the relevant date is the date of commencement of section 79(1);

(b) proposed development notice is notice of a proposal for development given by the developer in pursuance of arrangements made by the Secretary of State in relation to development by or on behalf of the Crown;

(c) the developer is the Crown or a person acting on behalf of the Crown.

Acceptable development

3 (1) This paragraph applies if before the relevant date in pursuance of the arrangements either the local planning authority have or the Secretary of State has given notice to the developer that they or he (as the case may be) find the proposed development acceptable.

(2) The notice must be treated as if it is planning permission granted under Part 3 of the principal Act.

(3) If the notice is subject to conditions the conditions have effect as if they are conditions attached to the planning permission.

4 (1) This paragraph applies if before the relevant date the local planning authority have in pursuance of the arrangements kept a register of proposed development notices.

(2) The register must be treated as if it is part of the register kept by them in pursuance of section 69 of the principal Act.

Referred proposals

5 (1) This paragraph applies if—

(a) before the relevant date the local planning authority have notified the developer in pursuance of the arrangements that they do not find the development acceptable, and

(b) the matter has been referred to but not decided by the Secretary of State.

(2) This paragraph also applies if—

(a) before the relevant date the local planning authority have notified the developer in pursuance of the arrangements that they find the development acceptable subject to conditions, and

(b) the matter has been referred to but not decided by the Secretary of State.

(3) The Secretary of State must deal with the proposal as if it is an appeal by an applicant for planning permission under section 78 of the principal Act.

Pending proposals

6 (1) This paragraph applies if before the relevant date—

(a) proposed development notice has been given, but

(b) the local planning authority have not given notice to the developer as mentioned in paragraph 3 or 5.

(2) The principal Act applies as if the proposal is an application for planning permission duly made under Part 3 of that Act.