



# Growth and Infrastructure Act 2013

## 2013 CHAPTER 27

*Promoting growth and facilitating provision of infrastructure, and related matters*

### **4 Permitted development rights: prior approvals**

(1) In section 60 of the Town and Country Planning Act 1990 (planning permission granted by development order) after subsection (2) insert—

“(2A) Without prejudice to the generality of subsection (1), where planning permission is granted by a development order for development consisting of a change in the use of land in England, the order may require the approval of the local planning authority, or of the Secretary of State, to be obtained—

- (a) for the use of the land for the new use;
- (b) with respect to matters that relate to the new use and are specified in the order.

(2B) Without prejudice to the generality of subsection (1), a development order may include provision for ensuring—

- (a) that, before a person in reliance on planning permission granted by the order carries out development of land in England that is a dwelling house or is within the curtilage of a dwelling house—
  - (i) a written description, and a plan, of the proposed development are given to the local planning authority,
  - (ii) notice of the proposed development, and of the period during which representations about it may be made to the local planning authority, is served by the local planning authority on the owner or occupier of any adjoining premises, and
  - (iii) that period has ended, and
- (b) that, where within that period an owner or occupier of any adjoining premises objects to the proposed development, it may be carried out in reliance on the permission only if the local planning authority consider that it would not have an unacceptable impact on the amenity of adjoining premises.

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**Changes to legislation:** There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 4. (See end of Document for details)

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- (2C) In subsection (2B) “adjoining premises” includes any land adjoining—
- (a) the dwelling house concerned, or
  - (b) the boundary of its curtilage.”
- (2) In section 70A(5) of that Act (“relevant application” includes an application for approval under section 60(2)) after “60(2)” insert “, (2A) or (2B) ”.

**Changes to legislation:**

There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 4.