

## SCHEDULES

### SCHEDULE 10

Section 109

#### CROWN DEVELOPMENT: CONSEQUENTIAL AMENDMENTS

##### *Town and Country Planning Act 1990 (c. 8)*

- 1 TCPA 1990 is amended as follows.
- 2 In section 61W (England: requirement to carry out pre-application consultation), in subsection (6)(a), for “293A” substitute “293B”.
- 3 In section 108 (compensation for refusal or conditional grant of planning permission etc formerly granted by development order etc)—
  - (a) in subsection (1)—
    - (i) in paragraph (b), for “Part III or section 293A” substitute “Parts 3 or 13”;
    - (ii) in sub-paragraph (i), for “or section 293A” substitute “or by the Secretary of State or Welsh Ministers under Part 13”;
  - (b) in subsection (2B)—
    - (i) in paragraph (b), for “Part III or section 293A” substitute “Parts 3 or 13”;
    - (ii) in the closing words, for “or section 293A” substitute “or by the Secretary of State or Welsh Ministers under Part 13”.
- 4 In section 247 (highways affected by development: orders by the Secretary of State), in subsection (1)(a), for “Part III or section 293A” substitute “Parts 3 or 13”.
- 5 In section 257 (footpaths etc affected by development: orders by other authorities), in subsection (1)(a), for “Part III or section 293A” substitute “Parts 3 or 13”.
- 6 In section 284 (validity of certain orders, decisions and directions), in subsection (3)—
  - (a) in paragraph (i), after “in principle” insert “to the Welsh Ministers”;
  - (b) after paragraph (i) insert—
    - “(j) any decision on an application made to the Secretary of State under section 293B, 293D or 293E.”
- 7 In section 293A (urgent Crown development: application)—
  - (a) in the heading, at the end insert “to the Welsh Ministers”;
  - (b) in subsection (1), in the opening words, after “development” insert “of land in Wales”.
- 8 In section 303 (fees for planning application etc.), after subsection (4) insert—
  - (a) in subsection (4), for “appropriate authority” (in both places) substitute “Welsh Ministers”;
  - (b) after subsection (4) insert—

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*Status: This is the original version (as it was originally enacted).*

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“(4A) The Secretary of State may by regulations make provision for the payment of a fee to the Secretary of State in respect of an application under section 293B, 293D or 293E.”

9 In section 319A (determination of procedure for certain proceedings: England), in subsection (7)—

- (a) omit the “and” at the end of paragraph (d);
- (b) after paragraph (e) insert “; and
  - (f) an application made to the Secretary of State under section 293D or 293E.”
- (c) after paragraph (e) insert—
  - “(f) an application made to the Secretary of State under section 293D or 293E.”

10 In section 336 (interpretation), in subsection (1)—

- (a) in the definition of “planning decision”, for “Part III or section 293A” substitute “Parts 3 or 13”;
- (b) in the definition of “planning permission”, for “Part III or section 293A” substitute “Parts 3 or 13”.

#### *Housing and Planning Act 2016 (c. 22)*

11 In section 205 (interpretation of sections 203 and 204), in subsection (1), in the definition of “planning consent”, for “Part 3 of the Town and Country Planning Act 1990 or section 293A of that Act” substitute “Parts 3 or 13 of the Town and Country Planning Act 1990”.