

SCHEDULE 4

WASTE FRAMEWORK DIRECTIVE etc.

PART I

GENERAL

Modifications of provisions relating to development plans

7.—(1) Subject to sub-paragraph (2) below, sections 12(3A), 31(3) and 36(3) of the Town and Country Planning Act 1990⁽¹⁾ or, in Scotland, sections 5(3)(a) and 9(3)(a) of the Town and Country Planning (Scotland) Act 1972⁽²⁾, shall have effect as if the policies referred to in those sections also included policies in respect of suitable waste disposal sites or installations.

(2) In the case of the policies referred to in section 36(3) of the Town and Country Planning Act 1990, sub-paragraph (1) above shall have effect subject to the provisions of section 36(5) of that Act⁽³⁾.

(3) Section 38(1) of the Town and Country Planning Act 1990⁽⁴⁾ shall have effect as if the definition of waste policies included detailed policies in respect of suitable disposal sites or installations for the carrying on of such development as is referred to in that definition.

(1) 1990 c. 8; sections 12(3A), 31(3) and 36(3) are substituted by paragraphs 2(1), 16 and 17 respectively of Schedule 4 to the Planning and Compensation Act 1991 (c. 34).

(2) 1972 c. 52; sections 5(3)(a) and 9(3)(a) are amended by paragraphs 3 and 4 of Schedule 13 to the Planning and Compensation Act 1991 (c. 34).

(3) Section 36(5) is inserted by paragraph 17 of Schedule 4 to the Planning and Compensation Act 1991 (c. 34).

(4) Section 38 is inserted by paragraph 17 of Schedule 4 to the Planning and Compensation Act 1991 (c. 34).