

---

STATUTORY INSTRUMENTS

---

**2005 No. 2572**

**The Thurrock Development Corporation  
(Planning Functions) Order 2005**

**Transitional provision: applications to local planning authorities**

6.—(1) Paragraphs (2) and (3) of this article apply as respects any application for planning permission or for a consent, approval or determination under the 1990 Act, or the Listed Buildings Act, or under any order or regulation made or having effect under those Acts which—

- (a) is for development of a kind specified in article 3(1);
- (b) was duly made before this Order came into force to an authority which ceases by virtue of section 7 of the 1990 Act and the preceding provisions of this Order to be the local planning authority responsible for determining the application (“the previous authority”); and
- (c) has not been determined when this Order comes into force.

(2) The previous authority must transmit any application referred to in paragraph (1) to the development corporation for determination.

(3) Where the previous authority transmits an application to the development corporation for determination, the application shall be treated as received by the development corporation from the applicant on the day on which it is transmitted to the corporation.

(4) If, after this Order comes into force—

- (a) an application is made to an authority which ceased by virtue of section 7 of the 1990 Act and the preceding provisions of this Order to be the local planning authority in relation to the kinds of development specified in article 3(1); and
- (b) that authority consider that the application is for development of a kind specified in article 3(1),

that authority must transmit the application to the development corporation for determination.

(5) Where an appeal is made to the Secretary of State under section 78(1) of the 1990 Act or section 20 of the Listed Buildings Act against a decision or determination made in relation to land within the development area by an authority which ceased by virtue of section 7 of the 1990 Act and the preceding provisions of this Order to be the local planning authority responsible for making such decisions or determinations, that authority shall—

- (a) continue to be the local planning authority for the purposes of the appeal; and
- (b) shall notify the development corporation of the appeal and transmit to the Secretary of State any representation received from the development corporation.