
STATUTORY INSTRUMENTS

2017 No. 126

The West of England Combined Authority Order 2017

PART 4

Planning

Planning applications of potential strategic importance

12.—(1) The Combined Authority has, in relation to the Area, functions corresponding to the following functions that the Mayor of London has in relation to Greater London—

- (a) section 2A of the 1990 Act (the Mayor of London: applications of potential strategic importance);
- (b) section 2B of the 1990 Act (section 2A: supplementary provisions);
- (c) section 2C of the 1990 Act (matters reserved for subsequent approval);
- (d) section 2E of the 1990 Act (section 2A and planning obligations under section 106);
- (e) section 2F of the 1990 Act (representation hearings);
- (f) section 74 of the 1990 Act (directions etc as to method of dealing with applications); and
- (g) the 2008 Order.

(2) Sections 2A, 2B, 2C, 2D, 2E and 2F of the 1990 Act apply in relation to the consideration of applications of potential strategic importance by the Combined Authority as they apply in relation to the consideration of applications of potential strategic importance by the Mayor of London.

(3) In section 2A(3)(a) of the 1990 Act as applied by paragraph (2) the references to “Greater London” are to be read as references to “the Area”.

(4) The provisions in section 333 of the 1990 Act (orders and regulations) apply in relation to the power of the Secretary of State to make orders under sections 2A and 2F of that Act in relation to the Combined Authority, as it applies in relation to the power of the Secretary of State to make orders under sections 2A and 2F of that Act in relation to the Mayor of London⁽¹⁾.

(5) The provisions in the 2008 Order apply in relation to the Combined Authority’s power to direct that applications for planning permission of potential strategic importance must be determined by the Combined Authority in place of the local planning authority as they apply in relation to the Mayor of London’s power to direct that applications for planning permission of potential strategic importance must be determined by the Mayor of London in place of the local planning authority.

(6) The 2008 Order has effect as if—

- (a) for every reference to “the Mayor” there were substituted “the Combined Authority”;
- (b) article 3 were omitted;

(1) The Secretary of State’s power to make orders under sections 2A and 2F of the 1990 Act, is by statutory instrument, prescribing the circumstances in which, and the conditions subject to which, the Mayor of London may give a direction under section 2F of that Act and provision in relation to public admission to representation hearings and public access to documents, etc at such hearings under section 2F of that Act.

- (c) in article 6—
 - (i) every reference to “Greater London” is to be read as a reference to “the Area”,
 - (ii) in paragraph (2)(a) for “the Greater London Authority” there were substituted “the Combined Authority”; and
 - (iii) paragraphs (2)(c) and (f) were omitted;
- (d) in the Schedule—
 - (i) in paragraph 1(2), for “Parts 1 and 2” there were substituted “Part 1”;
 - (ii) paragraph 4 were omitted;
 - (iii) for Part 1 there were substituted—

“PART 1

Developments which are cross-boundary linear developments identified in the spatial development strategy for the area of the West of England Combined Authority as safeguarded schemes or schemes of strategic importance

1. Development for surface rail.
2. Development for bus ways.
3. Development for rapid transit.
4. Development for public highway infrastructure.
5. Development for bridges.
6. Development of flood defences.”; and

(iv) Parts 2 and 3 were omitted.

(7) In this article “the 2008 Order” means the Town and Country Planning (Mayor of London) Order 2008(2).