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*Changes to legislation: There are currently no known outstanding effects for the Channel Tunnel Rail Link Act 1996, Paragraph 38. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 6

#### PLANNING CONDITIONS

##### PART IV

##### SUPPLEMENTARY

##### *Interpretation*

38 (1) In this Schedule—

“building” includes any structure, other than—

- (a) anything in the nature of plant or machinery,
- (b) any gate, fence, wall or other means of enclosure, or
- (c) any tunnel, earthwork or railway track bed,

but does not include anything temporary or, except where forming part of a station and intended for public use, anything underground;

“deemed planning permission” means the planning permission deemed by section 9 above to be granted;

“development” has the same meaning as in the <sup>M1</sup>Town and Country Planning Act 1990; and

“permitted development” means development to which the deemed planning permission relates.

(2) In this Schedule—

<sup>F1</sup>(a) .....

- (b) references to land within the relevant limits are to land within the limits of deviation for the scheduled works or within the limits of land to be acquired or used.

(3) For the purposes of this Schedule, spoil or top soil is surplus if it is not used for the purposes of any of the works authorised by this Part of this Act.

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#### **Textual Amendments**

**F1** Sch. 6 para. 38(2)(a) repealed (26.1.1998) by S.I. 1997/2971, art. 6(1), Sch. paras. 25, 32(j)

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#### **Marginal Citations**

**M1** 1990 c. 8.

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