Infrastructure Act 2015

2015 CHAPTER 7

PART 5

PLANNING, LAND AND BUILDINGS

Nationally significant infrastructure projects

28   Changes to, and revocation of, development consent orders

(1) Schedule 6 to the Planning Act 2008 (changes to, and revocation of, orders granting development consent) is amended as follows.

(2) In paragraph 2 (non-material changes to orders)—

   (a)   in sub-paragraph (8) (duty for Secretary of State to comply with prescribed consultation and publicity requirements) after "Secretary of State" insert " and the person who has made the application under sub-paragraph (4) ", and

   (b)   after that sub-paragraph insert—

   "(8A) The power to make regulations under sub-paragraph (8) includes power to allow the Secretary of State or the person who has made the application under sub-paragraph (4) to exercise a discretion."

(3) In paragraph 3 (changes to, and revocation of, orders) after sub-paragraph (5) insert—

   "(5A) The Secretary of State may refuse to exercise the power on an application made under sub-paragraph (4) or (5) if, in particular, the Secretary of State considers that the development that would be authorised as a result of the change should properly be the subject of an application under section 37 for a development consent order."

(4) In paragraph 4 (supplementary provisions about changes to, and revocation of, orders) after sub-paragraph (5) insert—

   "(5A) The power to make regulations under sub-paragraph (4) includes power to allow a person to exercise a discretion."

Commencement Information

I1   S. 28 partly in force; s. 28 in force for specified purposes at Royal Assent, see s. 57(5)(b)

I2   S. 28 in force at 14.7.2015 in so far as not already in force by S.I. 2015/758, **reg. 3** (with reg. 4(3))

Changes to legislation:
There are currently no known outstanding effects for the Infrastructure Act 2015, Section 28.