

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Paragraph 40. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS IN CONNECTION WITH CHAPTER 2 OF PART 3

Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012)

- 40 (1) Regulation 111 (interpretation of Chapter 8 of Part 6) is amended as follows.
- (2) In paragraph (1)—
- (a) in paragraph (b) of the definition of “land use plan”—
 - (i) for “local development document as provided for in” substitute “joint spatial development strategy, local plan, document which is or forms part of a minerals and waste plan, supplementary plan or any revision of such a plan or document under”;
 - (ii) omit the words from “other” to the end;
 - (b) in paragraph (a) of the definition of “plan-making authority”, after “replacement” insert “or section 15CC of the 2004 Planning Act (supplementary plans)”;
 - (c) in paragraph (b) of the definition of “plan-making authority” omit “or an order under section 29(2) of the 2004 Planning Act (joint committees)”;
 - (d) after that paragraph insert—
 - “(ba) a local planning authority or minerals and waste planning authority for the purposes of Part 2 of the 2004 Planning Act;”;
 - (e) in paragraph (c) of the definition of “plan-making authority”, omit sub-paragraph (i);
 - (f) after that paragraph insert—
 - “(ca) anyone exercising powers under section 15H, 15HA or 15HB of, or Schedule A1 to, the 2004 Planning Act;”.
- (3) In paragraph (2)—
- (a) for sub-paragraphs (a) and (b) substitute—
 - “(aa) the adoption of a joint spatial development strategy under section 15AD of the 2004 Planning Act or of an alteration of such a strategy under section 15AF of that Act;
 - (ab) the adoption or approval of a local plan, document which is or forms part of a minerals and waste plan, supplementary plan or a revision of any such document or plan under Part 2 of the 2004 Planning Act;”;
 - (b) in sub-paragraph (c) for “publication” substitute “adoption”.

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Commencement Information

- II** Sch. 8 para. 40 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

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Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Paragraph 40.