
Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the
Levelling-up and Regeneration Act 2023, Schedule 9. (See end of Document for details)

SCHEDULES

SCHEDULE 9

Section 106

STREET VOTES: MINOR AND CONSEQUENTIAL AMENDMENTS

Town and Country Planning Act 1990

- 1 (1) TCPA 1990 is amended as follows.
 - (2) In section 5 (the Broads), in subsection (3), for “61Q” substitute “61QM”.
 - (3) In section 56 (time when development begun), in subsection (3)—
 - (a) after “(7),” insert “61QI(8),”;
 - (b) for “108(3E)(c)(i)” substitute “, 108(3E)(c)(i), 108(3DB)(c)(i)”.
 - (4) In section 57 (planning permission required for development), in subsection (3), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
 - (5) In section 58 (granting of planning permission: general), in subsection (1)(a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
 - (6) In section 62 (applications for planning permission or permission in principle), in subsection (2A)—
 - (a) at the end of paragraph (a) omit “and”;
 - (b) after paragraph (b) insert “, and
 - (c) applications for consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1).”
 - (7) In section 65 (notice of applications for planning permission or permission in principle), in subsection (3A)—
 - (a) at the end of paragraph (a) omit “and”;
 - (b) after paragraph (b) insert “, and
 - (c) any application for consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1) or any applicant for such consent, agreement or approval.”
 - (8) In section 69 (register of applications etc)—
 - (a) after subsection (1)(cza) insert—

“(czb) street vote development orders or proposals for such orders;”;
 - (b) in subsection (2)(b), after “Mayoral development order,” insert “street vote development order or proposal for such an order,”.

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- (9) In section 71 (consultations in connection with determinations under section 70), in subsection (2ZA)—
- (a) at the end of paragraph (a) omit “and”;
 - (b) after paragraph (b) insert “, and
 - (c) an application for consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1).”
- (10) In section 74 (directions etc as to method of dealing with applications), in subsection (1ZA)—
- (a) in paragraph (a)—
 - (i) at the end of sub-paragraph (i) omit “and”;
 - (ii) after sub-paragraph (ii) insert—
 - “(iii) a consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1), and”;
 - (b) in paragraph (b)—
 - (i) at the end of sub-paragraph (i) omit “and”;
 - (ii) after sub-paragraph (ii) insert “, and
 - (iii) applications for consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1).”
- (11) In section 77 (reference of applications to Secretary of State), in subsection (1), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (12) In section 78 (right to appeal), in subsection (1)(c), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (13) In section 88 (planning permission for development in enterprise zones), in subsection (9), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (14) In section 91 (general condition limiting duration of planning permission), in subsection (4)(a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (15) In section 94 (termination of planning permission by reference to time limit: completion notices), in subsection (1), after paragraph (d) insert “; or
- (e) a planning permission under a street vote development order is subject to a condition that the development to which the permission relates must be begun before the expiration of a particular period, that development has been begun within that period, but that period has elapsed without the development having been completed.”
- (16) In section 108 (compensation)—
- (a) in the heading, for “or neighbourhood development order” substitute “, neighbourhood development order or street vote development order”;

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- (b) in subsection (1)—
 - (i) in paragraph (a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”;
 - (ii) in the words after paragraph (b), for “or the neighbourhood development order” substitute “, the neighbourhood development order or the street vote development order”;
 - (c) in subsection (2), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”;
 - (d) in subsection (3B)—
 - (i) in paragraph (ba), at the end omit “or”;
 - (ii) after that paragraph insert—
 - “(bb) in the case of planning permission granted by a street vote development order, the condition in subsection (3DB) is met, or”;
 - (e) after subsection (3DA) insert—
 - “(3DB) The condition referred to in subsection (3B)(bb) is that—
 - (a) the planning permission is withdrawn by the revocation or modification of the street vote development order,
 - (b) notice of the revocation or modification was published in the prescribed manner not less than 12 months or more than the prescribed period before the revocation or modification took effect, and
 - (c) either—
 - (i) the development authorised by the street vote development order had not begun before the notice was published, or
 - (ii) [section 61QI\(7\)](#) applies in relation to the development.”
- (17) In section 109 (apportionment of compensation for depreciation), in subsection (6), in the definition of “relevant planning decision”, for “or the neighbourhood development order” substitute “, the neighbourhood development order or the street vote development order”.
- (18) In section 171H (temporary stop notice: compensation), in subsection (1)(a), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (19) In section 264 (cases in which land is to be treated as not being operational land), in subsection (5)(ca), for “or a neighbourhood development order” substitute “, a neighbourhood development order or a street vote development order”.
- (20) In section 324 (rights of entry), in subsection (1A)—
 - (a) the words from “the reference” to the end become paragraph (a);
 - (b) after that paragraph insert “, and
 - (b) the reference to a proposal by the Secretary of State to make any order under Part 3 includes a reference to a proposal submitted (or to be submitted) to the Secretary of State for the making of a street vote development order.”

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(21) In section 333 (regulations and orders)—

(a) after subsection (3) insert—

“(3ZZA) Subsection (3) does not apply to a statutory instrument containing regulations made under any of sections 61QB to 61QJ or section 61QL if a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”;

(b) after subsection (3ZA) insert—

“(3ZZAA) No regulations may be made under section 61QC(2), 61QH or 61QI(4) unless a draft of the instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.”

(22) In Schedule 1 (local planning authorities: distribution of functions), in paragraph 6A, at the end insert “or any of sections 61QA to 61QM (street vote development orders)”.

Commencement Information

I1 Sch. 9 para. 1 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

I2 Sch. 9 para. 1(6)-(10) in force at 31.1.2024 for specified purposes by [S.I. 2024/92](#), [reg. 2\(q\)](#)

PROSPECTIVE

Planning (Listed Buildings and Conservation Areas) Act 1990

2 (1) The Listed Buildings Act is amended as follows.

(2) In section 66 (general duty as respects listed buildings in exercise of planning functions), in subsection (4), after “orders” insert “or street vote development orders (except as provided by SVDO regulations within the meaning given by section 61QM of the principal Act)”.

(3) In section 72 (general duty as respects conservation areas in exercise of planning functions), in subsection (4), after “orders” insert “or street vote development orders (except as provided by SVDO regulations within the meaning given by section 61QM of the principal Act)”.

Commencement Information

I3 Sch. 9 para. 2 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

PROSPECTIVE

Elections Act 2022

3 In section 34 of the Elections Act 2022 (campaigners), in subsection (6), in the definition of “local referendum”, after paragraph (d) insert—

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“(e) section 61QE of the Town and Country Planning Act 1990 (referendums on street vote development orders);”.

Commencement Information

I4 Sch. 9 para. 3 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

PROSPECTIVE

The Conservation of Habitats and Species Regulations 2017

- 4 (1) The Conservation of Habitats and Species Regulations 2017 ([S.I. 2017/1012](#)) are amended as follows.
- (2) In regulation 75 (general development orders)—
- (a) in the heading, after “orders” insert “and street vote development orders”;
 - (b) in the opening words, after “2017” insert “or a street vote development order”.
- (3) In regulation 76 (opinion of appropriate nature conservation body)—
- (a) in the heading, after “orders” insert “and street vote development orders”;
 - (b) in paragraph (1), after “order” insert “or a street vote development order”;
 - (c) in paragraph (6), after “order” insert “or a street vote development order”.
- (4) In regulation 77 (approval of local planning authority), in the heading, after “orders” insert “and street vote development orders”.
- (5) In regulation 78 (supplementary)—
- (a) in the heading, after “orders” insert “and street vote development orders”;
 - (b) in paragraph (3)(b), after “order” insert “or development order”.
- (6) In regulation 85B (assumptions to be made about nutrient pollution standards)—
- (a) in the heading, after “orders” insert “and street vote development orders”;
 - (b) in paragraph (1)(a) after “orders” insert “and street vote development orders”.

Commencement Information

I5 Sch. 9 para. 4 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

Status:

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Changes to legislation:

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