



# Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

## PART X

### STATUTORY UNDERTAKERS

#### *General provisions*

#### **159 Planning permission to develop operational land**

- (1) Where an application for planning permission to develop operational land is made by statutory undertakers, and is referred to the Minister under Part III of this Act, or where an appeal is made to the Minister under Part III of this Act from the decision on such an application, the application or appeal shall be dealt with by the Minister and the appropriate Minister.
- (2) If, on such an application or appeal, the Minister and the appropriate Minister propose to refuse planning permission, or to grant it subject to conditions, they shall notify to the statutory undertakers the decision which they propose to make; and if, within twenty-eight days from the date on which the statutory undertakers receive that notification, the undertakers make an application to the appropriate Minister in that behalf, the decision shall be embodied in an order made by the Minister and the appropriate Minister, and that order shall be subject to special parliamentary procedure.
- (3) Notwithstanding anything in Part III of this Act, planning permission to develop operational land of statutory undertakers shall not, except with their consent, be granted subject to conditions requiring that any buildings or works authorised by the permission shall be removed, or that any use of the land so authorised shall be discontinued, at the end of a specified period.
- (4) Subject to the provisions of this Part of this Act as to compensation, the provisions of this Act shall apply to an application which is dealt with under this section by the Minister and the appropriate Minister as if it had been dealt with by the Minister.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) For the avoidance of doubt it is hereby declared that, for the purposes of the application of the Statutory Orders (Special Procedure) Act, 1945, to any order made by the Minister and the appropriate Minister under this section, the requirements imposed by this Act with respect to the consideration of any such application or appeal as is mentioned in subsection (1) of this section shall be deemed to be requirements with respect to proceedings preliminary to the making of the order within the meaning of section two of the said Act of 1945.