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STATUTORY INSTRUMENTS

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**1989 No. 1590**

**TOWN AND COUNTRY PLANNING,  
ENGLAND AND WALES**

**The Town and Country Planning General  
Development (Amendment) (No. 2) Order 1989**

<i>Made</i>	- - - -	<i>2nd September 1989</i>
<i>Laid before Parliament</i>		<i>8th September 1989</i>
<i>Coming into force</i>	- -	<i>29th September 1989</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 24, 31 and 287(3) of the Town and Country Planning Act 1971<sup>(1)</sup> and all other powers enabling them in that behalf, hereby make the following Order—

**1.** This Order may be cited as the Town and Country Planning General Development (Amendment) (No. 2) Order 1989 and shall come into force on 29th September 1989.

**2.** The Town and Country Planning General Development Order 1988<sup>(2)</sup> is hereby amended as follows—

(1) In article 1 (2) (interpretation) in the definition of “statutory undertaker” after “Gas Act 1986” there shall be inserted “and the National Rivers Authority and any water undertaker”.

(2) In article 18(1) (consultations before the grant of permission) in paragraphs (j) and (o) to (s) for “The water authority concerned” there shall be substituted “The National Rivers Authority”.

(3) In Schedule 2, Part 14 (development by drainage bodies) in paragraph A.1 for the words “which is not a water authority” there shall be substituted “other than the National Rivers Authority”.

(4) In Schedule 2, Part 15 (development by water authorities)—

(a) for the heading “DEVELOPMENT BY WATER AUTHORITIES” there shall be substituted “DEVELOPMENT BY THE NATIONAL RIVERS AUTHORITY”;

(b) in paragraph A for “a water authority” there shall be substituted “the National Rivers Authority”;

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(1) 1971 c. 78; relevant amendments are made by Schedule 16, paragraph 22 to the Local Government Act 1972 (c. 70) and Schedule 11, paragraph 2 to the Housing and Planning Act 1986 (c. 63).

(2) S.I.1988/1813.

- (c) paragraphs A(a), “the supply of water or for” and “or for the conveyance of water treatment sludge” in paragraph A(b), and paragraph A(f) shall be deleted.
- (5) In Schedule 2, Part 16 (development for sewerage and sewage disposal)—
  - (a) for the heading “DEVELOPMENT FOR SEWERAGE AND SEWAGE DISPOSAL” there shall be substituted “DEVELOPMENT BY OR ON BEHALF OF SEWERAGE UNDERTAKERS”;
  - (b) in paragraph A for “on behalf of a water authority” there shall be substituted “by or on behalf of a sewerage undertaker”;
  - (c) paragraph A.1 shall be deleted.
- 3.** For the purpose of article 18(1) of the Town and Country Planning General Development Order 1988 as amended by article 2(2), consultations with the water authority concerned under article 18(1) of the 1988 Order before the date when this Order comes into force shall be treated as consultations with the National Rivers Authority.

31st August 1989

*David Trippier*  
Minister of State,  
Department of the Environment

2nd September 1989

*Peter Walker*  
Secretary of State for Wales

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## EXPLANATORY NOTE

*This note is not part of the Order)*

This Order amends the Town and Country Planning General Development Order 1988 (the 1988 Order). Under the Water Act 1989 (c. 15) the functions of water authorities are transferred to the National Rivers Authority and water and sewerage undertakers. This Order therefore makes the National Rivers Authority the consultee for the purposes of article 18 of the 1988 Order (consultations before the grant of planning permission) rather than the water authority concerned (article 2(2)) and transfers the permitted development rights of water authorities to the National Rivers Authority and the water and sewerage undertakers (article 2(1), (3), (4) and (5)). It also makes some minor consequential drafting amendments.