

SCHEDULE 2

PART 11

DEVELOPMENT UNDER LOCAL OR PRIVATE ACTS OR ORDERS

Class A

A Permitted development

A. Development authorised by—

- (a) a local or private Act of Parliament,
- (b) an order approved by both Houses of Parliament, or
- (c) an order under section 14 or 16 of the Harbours Act 1964(1)(orders for securing harbour efficiency etc., and orders conferring powers for improvement, construction etc. of harbours)

which designates specifically the nature of the development authorised and the land upon which it may be carried out.

A.1 Condition

A.1 Development is not permitted by Class A if it consists of or includes—

- (a) the erection, construction, alteration or extension of any building, bridge, aqueduct, pier or dam, or
- (b) the formation, laying out or alteration of a means of access to any highway used by vehicular traffic,

unless the prior approval of the appropriate authority to the detailed plans and specifications is first obtained.

A.2 Prior approvals

A.2 The prior approval referred to in paragraph A.1 is not to be refused by the appropriate authority nor are conditions to be imposed unless they are satisfied that—

- (a) the development (other than the provision of or works carried out to a dam) ought to be and could reasonably be carried out elsewhere on the land; or
- (b) the design or external appearance of any building, bridge, aqueduct, pier or dam would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

A. 3 Interpretation of Class A

A. 3 In Class A, “appropriate authority” means—

- (a) in Greater London or a metropolitan county, the local planning authority,
- (b) in a National Park, outside a metropolitan county, the county planning authority,

(1) 1964 c. 40; section 14 was amended by paragraph 2, and sections 14 and 16 were amended by paragraphs 3, 4 and 14, of Schedule 6 to, and by Part II of Schedule 12 to, the Transport Act 1981 (c. 56); section 14 was amended by paragraph 1, and section 16 was amended by paragraph 2, of Schedule 3 to the Transport and Works Act 1992 (c. 42).

Status: This is the original version (as it was originally made).

(c) in any other case, the district planning authority⁽²⁾.

(2) For cases where functions have been transferred from the county council to the district council or vice versa see regulation 5 of the Local Government Changes for England Regulations 1994 (S.I. 1994/867) and section 1 of the Act.