
STATUTORY INSTRUMENTS

1995 No. 419

**The Town and Country Planning (General
Development Procedure) Order 1995**

Special provisions as to permission for development affecting certain existing and proposed highways

15.—(1) Where an application is made to a local planning authority for planning permission for development which consists of or includes—

- (a) the formation, laying out or alteration of any access to or from any part of a trunk road which is either a special road or, if not a special road, a road subject to a speed limit exceeding 40 miles per hour; or
- (b) any development of land within 67 metres (or such other distance as may be specified in a direction given by the Secretary of State under this article) from the middle of—
 - (i) any highway (other than a trunk road) which the Secretary of State has provided, or is authorised to provide, in pursuance of an order under Part II of the Highways Act 1980⁽¹⁾ (trunk roads, classified roads, metropolitan roads, special roads) and which has not for the time being been transferred to any other highway authority;
 - (ii) any highway which he proposes to improve under Part V of that Act (improvement of highways) and in respect of which notice has been given to the local planning authority;
 - (iii) any highway to which he proposes to carry out improvements in pursuance of an order under Part II of that Act; or
 - (iv) any highway which he proposes to construct, the route of which is shown on the development plan or in respect of which he has given notice in writing to the relevant local planning authority together with maps or plans sufficient to identify the route of the highway,

the local planning authority shall notify the Secretary of State by sending him a copy of the application and any accompanying plans and drawings.

(2) An application referred to in paragraph (1) above shall not be determined unless—

- (a) the local planning authority receive a direction given under article 14 of this Order (and in accordance with the terms of that direction);
- (b) they receive notification by or on behalf of the Secretary of State that he does not propose to give any such direction in respect of the development to which the application relates; or
- (c) a period of 28 days (or such longer period as may be agreed in writing between the local planning authority and the Secretary of State) from the date when notification was given to the Secretary of State has elapsed without receipt of such a direction.

(3) The Secretary of State may, in respect of any case or any class or description of cases, give a direction specifying a different distance for the purposes of paragraph 1(b) above.

(1) 1980 c. 66.

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