

## SCHEDULE 4

### MODIFICATIONS OF THE ACT

#### PART 1

#### MODIFICATIONS OF SECTION 70A OF THE ACT (POWER OF LOCAL PLANNING AUTHORITY TO DECLINE TO DETERMINE APPLICATIONS)

1. In section 70A of the Act—

(a) in subsection (1)—

(i) for “planning permission for the development of any land” substitute “express consent”;

(ii) in paragraph (a), omit the words “has refused a similar application referred to him under section 77 or”; and

(iii) for paragraph (b) substitute—

“(b) in the opinion of the authority there has been no significant change in any material consideration since the dismissal mentioned in paragraph (a).”;

(b) after subsection (1) insert the following subsection—

“(1A) A local planning authority may decline to determine an application for express consent if, by virtue of regulation 21(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, they have no power to grant the consent applied for.”; and

(c) in subsection (2)—

(i) after “the purposes of” insert “subsection (1) of”;

(ii) for “planning permission for the development of any land” substitute “express consent”;

(iii) for “development” substitute “subject matter of the applications”; and

(iv) for “the applications” substitute “they”.