

SCHEDULES

SCHEDULE 1

Transitional provisions relation to planning functions exercised by borough planning authorities prior to the commencement date

Transitional provision: planning appeals

3. Where an appeal is made to the Secretary of State under section 78(1) of the 1990 Act or section 20 of the Listed Buildings Act(2) in respect of a decision or determination made in relation to land in the development area by a borough planning authority, that borough planning authority shall—

- (a) continue to be the local planning authority for the purposes of the appeal; and
- (b) notify the LLDC of the appeal and transmit to the Secretary of State any representation received from the LLDC.

(1) Section 78 was amended by section 17(2) of the Planning and Compensation Act 1991 (c.34) (“the 1991 Act”), section 43(2) of the 2004 Act, sections 196 and 197 of, and paragraphs 1 and 3 of Schedule 10 and paragraphs 1 and 2 of Schedule 11 to, the Planning Act 2008 (c.29) (“the 2008 Act”) and by sections 121 and 123, and paragraphs 1 and 11 of Schedule 12 to, the 2011 Act.

(2) Section 20 was amended by sections 43(4)(a) and 43(4)(b) of the 2004 Act and prospectively amended, by a date to be appointed, by section 196(4) of, and paragraphs 15 and 17 of Schedule 10 to, the 2008 Act.