
STATUTORY INSTRUMENTS

2016 No. 297

The Thorpe Marsh Gas Pipeline Order 2016

PART 3

Operations

Procedure in relation to certain approvals etc.

11.—(1) Where an application is made to the relevant planning authority, a highway authority, a street authority or the owner of a watercourse, sewer or drain for any consent, agreement or approval required or contemplated by any of the provisions of this Order, such consent, agreement or approval must, if given, be given in writing and must not be unreasonably withheld.

(2) In relation to all agreements or approvals granted, refused or withheld in relation to Requirements, the following provisions apply so far as they relate to a consent, agreement or approval of a local planning authority required by a condition imposed on a grant of planning permission as if the relevant Requirement was a condition imposed on the grant of planning permission—

- (a) sections 78 and 79 of the 1990 Act (right of appeal in relation to planning decisions);
- (b) any orders, rules or regulations which make provision in relation to a consent, agreement or approval of a local planning authority required by a condition imposed on the grant of planning permission.

(3) For the purposes of paragraph (2) a provision relates to a consent, agreement or approval of a local planning authority required by a condition imposed on a grant of planning permission in so far as it makes provision in relation to an application for such a consent, agreement or approval, or the grant or refusal of such an application, or a failure to give notice of a decision on such an application.

(4) For the purposes of the application of section 262 of the 1990 Act (meaning of “statutory undertaker”) to appeals pursuant to this article, the undertaker is deemed to be a holder of a licence under section 6 of the Electricity Act 1989.

(5) Nothing in paragraph (2)(b) affects the application of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.