

SCHEDULE 2

Article 9

Amendments to secondary legislation

**Amendment of the Town and Country Planning General Regulations 1992**

1.—(1) The Town and Country Planning General Regulations 1992(1) are amended as follows.

(2) In regulation 1, in the definition of “planning permission” for “, except in regulations 7 to 9, includes” substitute “includes permission in principle and, except in regulations 7 to 9, also includes”.

(3) In Schedule 3—

(a) in Part 1, for “Planning permission for” to “(e)\*.” substitute—

“[Planning permission / Permission in principle]\* for.....  
(a) at.....  
(b) WE GIVE NOTICE THAT THE .....(c) Council have made an order under section 97 of the Town and Country Planning Act 1990 to [revoke the above planning permission] [to the following extent .....(d) [revoke the above permission in principle][to the following extent .....(d) [modify the above planning permission as follows .....(e) [modify the above permission in principle as follows .....(e)\*.”

(b) in Part 2, for “Planning permission for” to “(e)\*.” substitute—

“[Planning permission / Permission in principle]\* for.....  
(a) at.....(b)  
TAKE NOTICE THAT THE .....(c) Council have made an order under section 97 of the Town and Country Planning Act 1990 to [revoke the above planning permission] [to the following extent .....(d) [revoke the above permission in principle] [to the following extent .....(d) [modify the above planning permission as follows .....(e) [modify the above permission in principle as follows .....(e)\*.”

**Amendment of the Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

2.—(1) The Town and Country Planning (Inquiries Procedure) (England) Rules 2000(2) are amended as follows.

(2) In rules 3(1) and 4(2), after “planning permission” insert “or permission in principle”.

(3) In the modified text in rule 23(2)(b) and (h), after “planning permission” insert “or permission in principle”.

(4) In rule 23B—

(a) before paragraph (3)(a) insert—

“(za) before the definition of “applicant” insert—

““the 2017 Order” means the Town and Country Planning (Permission in Principle) Order 2017;”;

(b) in the modified text in paragraphs (3)(a), (b) and (e) after “2010 Order” insert “, article 5V of the 2017 Order”; and

(1) S.I. 1992/1492 to which there are amendments not relevant to this Order.

(2) S.I. 2000/1624. Rule 23B was inserted by S.I. 2013/2137. There are other amendments not relevant to this Order.

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- (c) in the modified text in paragraphs (5)(f)(ii), (h)(i), and (i), (6), (8)(b) and (9)(b) after “2010 Order,” insert “article 5V of the 2017 Order”.
- (5) In the modified text in paragraph 2 of Part 2 of the Schedule, after “planning permission” insert “or permission in principle”.

### **Amendment of the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000**

**3.—**(1) The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000(3) are amended as follows.

(2) In rule 2(1)—

(a) in the appropriate place insert the following definition—

““the 2017 Order” means the Town and Country Planning (Permission in Principle) Order 2017;”;

(b) in the definition of “draft statement of common ground”, after “2010 Order” insert “, article 5V of the 2017 Order”; and

(c) in the definition of “full statement of case”, after “2010 Order” insert “, article 5V of the 2017 Order”.

(3) In rules 3(1) and 4(2), after “planning permission” insert “or permission in principle”.

(4) In rules 6(8), (12) and (13), 10(7), 16(10) and 22(1), after “2010 Order,” insert “article 5V of the 2017 Order”.

(5) In the modified text in rule 24(2)(b), (f) and (g), after “planning permission” insert “or permission in principle”.

### **Amendment of the Town and Country Planning (Hearings Procedure) (England) Rules 2000**

**4.—**(1) The Town and Country Planning (Hearings Procedure) (England) Rules 2000(4) are amended as follows.

(2) In rule 2(1)—

(a) in the appropriate place insert the following definition—

““the 2017 Order” means the Town and Country Planning (Permission in Principle) Order 2017;”

(b) in the definition of “draft statement of common ground”, after “2010 Order” insert “, article 5V of the 2017 Order”; and

(c) in the definition of “full statement of case”, after “2010 Order” insert “, article 5V of the 2017 Order”.

(3) In rules 6(6) and (7), 7(6), 11(9) and 18(2) after “2010 Order,” insert “article 5V of the 2017 Order”.

### **Amendment of the Local Authorities (Functions and Responsibilities) (England) Order 2000**

**5.—**(1) The Local Authorities (Functions and Responsibilities) (England) Order 2000(5) is amended as follows.

(2) In the table in Schedule 1—

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(3) [S.I. 2000/1625](#) to which there are amendments not relevant to this Order.  
(4) [S.I. 2000/1626](#) to which there are amendments not relevant to this Order.  
(5) [S.I. 2000/2853](#) to which there are amendments not relevant to this Order.

- (a) in item 5—
  - (i) in column (1), after “planning permission” insert “or permission in principle”;
  - (ii) in column (2), after “Sections” insert “59A(1)(b),”; and
- (b) in items 8 and 10, in column (1), after “planning permission” insert “or permission in principle”.

#### **Amendment of the Planning (National Security Directions and Appointed Representatives) (England) Rules 2006**

6.—(1) The Planning (National Security Directions and Appointed Representatives) (England) Rules 2006<sup>(6)</sup> are amended as follows.

- (2) In rule 6(2) and (3), after “planning permission” insert “or permission in principle”.

#### **Amendment of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009**

7.—(1) The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009<sup>(7)</sup> are amended as follows.

- (2) In regulation 2, in the definition of “full statement of case”, after “Order 2010 (appeals)” insert “or article 5V of the Town and Country Planning (Permission in Principle) Order 2017”.

#### **Amendment of the Town and Country Planning (Development Management Procedure) (England) Order 2015**

8.—(1) The Town and Country Planning (Development Management Procedure) (England) Order 2015<sup>(8)</sup> is amended as follows.

- (2) In article 1 (application), at the end, insert—
  - “(5) Nothing in this Order applies to an application for permission in principle<sup>(9)</sup>”.

#### **Amendment of the Planning (Hazardous Substances) Regulations 2015**

9.—(1) The Planning (Hazardous Substances) Regulations 2015<sup>(10)</sup> are amended as follows.

- (2) In regulation 26(6), in sub-paragraphs (a), (b) and (c), after “planning permission”, in each place it occurs, insert “or permission in principle”.

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<sup>(6)</sup> [S.I. 2006/1284](#) to which there are amendments not relevant to this Order.

<sup>(7)</sup> [S.I. 2009/452](#) to which there are amendments not relevant to this Order.

<sup>(8)</sup> [S.I. 2015/595](#).

<sup>(9)</sup> Permission in principle and its effect are described in sections 58A, 59A and 70(2ZZA) to (2ZZC) of the 1990 Act, these provisions were inserted into that Act by section 150 of the Housing and Planning Act 2016.

<sup>(10)</sup> [S.I. 2015/627](#).