
STATUTORY INSTRUMENTS

2024 No. 60

The A12 Chelmsford to A120 Widening
Development Consent Order 2024

PART 7

MISCELLANEOUS AND GENERAL

Use of consecrated land

57.—(1) Sections 238 (use and development of consecrated land) and 239 (use and development of burial grounds) of the 1990 Act apply—

- (a) in relation to land, other than a right over land, acquired for the purposes of the authorised development (whether or not by agreement) so as to permit use by the undertaker in accordance with the provisions of this Order; and
- (b) in relation to a right over land acquired for the purposes of the authorised development (whether or not by agreement) the temporary use of land pursuant to articles 40 (temporary use of land for constructing the authorised development) or 41 (temporary use of land for maintaining the authorised development) so as to permit the exercise of that right or the temporary use by the undertaker in accordance with the provisions of this Order, without prejudice to the status of the land over which the right is exercised as consecrated land.

(2) In section 238(1) of the 1990 Act as applied by paragraph (1), the reference to “planning permission” includes this Order.

(3) In section 240(1) of the 1990 Act, the reference to “regulations made for the purposes of sections 238(3) and (4) and 239(2)” means, so far as is applicable to land or a right over land acquired under this Order, paragraphs (2) to (15) of article 51 (removal of human remains).

(4) In section 240(3) of the 1990 Act, the reference to “statutory undertakers” includes the undertaker and the reference to “any other enactment” includes this Order.

(5) The Town and Country Planning (Churches, Places of Religious Worship and Burial Grounds) Regulations 1950(1) do not apply to the authorised development.