
Changes to legislation: There are currently no known outstanding effects for the Crossrail Act 2008, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 15

EXTENSION OF PERMITTED DEVELOPMENT RIGHTS: SUPPLEMENTARY PROVISIONS

Conditions of permitted development

- 1 (1) Planning permission granted by virtue of section 15(1) is subject to the condition that development is carried out in accordance with such requirements as the Secretary of State may by notice in writing to the developer specify for the purpose of—
- (a) avoiding a breach of a relevant undertaking, or
 - (b) securing that the environmental effects of carrying out the development are not materially different from those envisaged by the relevant environmental assessment.
- (2) The power conferred by sub-paragraph (1) is exercisable after, as well as before, development is commenced.
- (3) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to vary or revoke a notice under that sub-paragraph.
- (4) The condition imposed by sub-paragraph (1) is in addition to any condition to which the planning permission may be subject apart from this paragraph.

Controls in relation to proposed development

- 2 (1) Where—
- (a) it appears to the Secretary of State that a person is proposing to carry out development of a kind mentioned in section 15(1)(a), and
 - (b) the Secretary of State is of the opinion that the proposed development has not been the subject of environmental assessment in connection with the Crossrail Bill,
- he may give notice in writing of his opinion to the proposed developer.
- (2) The power conferred by sub-paragraph (1) includes power, exercisable in the same manner, to withdraw a notice under that sub-paragraph.
- (3) Where a notice given under sub-paragraph (1) has not been withdrawn, section 15(1) shall be treated as not applying to the carrying out by the person to whom the notice is given of the development to which it relates.
- 3 (1) This paragraph applies where it appears to the Secretary of State—
- (a) that a person is proposing to carry out development of a kind mentioned in section 15(1)(a), and
 - (b) that the development has been the subject of environmental assessment in connection with the Crossrail Bill.

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- (2) If it appears to the Secretary of State that it is necessary or desirable to do so for the purpose of avoiding a breach of a relevant undertaking, he may, by notice in writing to the proposed developer, disapply section 15(1) in relation to the carrying out of the development by that person.
- (3) The power conferred by sub-paragraph (2) includes power, exercisable in the same manner, to revoke a notice under that sub-paragraph.

Notices

- 4 A notice under this Schedule shall—
- (a) specify the person to whom it is given,
 - (b) specify the development to which it relates,
 - (c) explain the reasons for it, and
 - (d) in the case of a notice under paragraph 2, explain its effect.
- 5 Notices under this Schedule shall be served by post.
- 6 Where the Secretary of State gives a notice under this Schedule he shall—
- (a) in the case of a notice relating to development in the area of a unitary authority, give a copy of the notice to the local planning authority;
 - (b) in the case of a notice relating to development not in the area of a unitary authority, give a copy of the notice to the district planning authority.

Interpretation

- 7 For the purposes of this Schedule, development has been the subject of environmental assessment in connection with the Crossrail Bill if it is development in relation to which information contained in a statement specified for the purposes of section 15(1)(b) constituted at the time of the statement's deposit or publication an environmental statement within the meaning of the EIA regulations.
- 8 In this Schedule—
- (a) “relevant undertaking” means an undertaking given by the Secretary of State—
 - (i) to the Select Committee of the House of Commons to which the Crossrail Bill was committed, or
 - (ii) to the Select Committee of the House of Lords to which that bill was committed;
 - (b) references to the relevant environmental statement, in relation to development for which planning permission is granted by virtue of section 15(1), are to the statement by virtue of which paragraph (b) of that subsection applies.

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