

**Changes to legislation:** There are currently no known outstanding effects for the  
Levelling-up and Regeneration Act 2023, Schedule 10. (See end of Document for details)

## SCHEDULES

### SCHEDULE 10

Section 109

#### CROWN DEVELOPMENT: CONSEQUENTIAL AMENDMENTS

##### *Town and Country Planning Act 1990 (c. 8)*

1 TCPA 1990 is amended as follows.

##### **Commencement Information**

**I1** Sch. 10 para. 1 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

2 In section 61W (England: requirement to carry out pre-application consultation), in subsection (6)(a), for “293A” substitute “293B”.

##### **Commencement Information**

**I2** Sch. 10 para. 2 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

3 In section 108 (compensation for refusal or conditional grant of planning permission etc formerly granted by development order etc)—

(a) in subsection (1)—

(i) in paragraph (b), for “Part III or section 293A” substitute “Parts 3 or 13”;

(ii) in sub-paragraph (i), for “or section 293A” substitute “or by the Secretary of State or Welsh Ministers under Part 13”;

(b) in subsection (2B)—

(i) in paragraph (b), for “Part III or section 293A” substitute “Parts 3 or 13”;

(ii) in the closing words, for “or section 293A” substitute “or by the Secretary of State or Welsh Ministers under Part 13”.

##### **Commencement Information**

**I3** Sch. 10 para. 3 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

4 In section 247 (highways affected by development: orders by the Secretary of State), in subsection (1)(a), for “Part III or section 293A” substitute “Parts 3 or 13”.

##### **Commencement Information**

**I4** Sch. 10 para. 4 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

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- 5 In section 257 (footpaths etc affected by development: orders by other authorities), in subsection (1)(a), for “Part III or section 293A” substitute “Parts 3 or 13”.

**Commencement Information**

**I5** Sch. 10 para. 5 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

- 6 In section 284 (validity of certain orders, decisions and directions), in subsection (3)

- (a) in paragraph (i), after “in principle” insert “to the Welsh Ministers”;
- (b) after paragraph (i) insert—
  - “(j) any decision on an application made to the Secretary of State under section 293B, 293D or 293E.”

**Commencement Information**

**I6** Sch. 10 para. 6 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

- 7 In section 293A (urgent Crown development: application)—
- (a) in the heading, at the end insert “to the Welsh Ministers”;
  - (b) in subsection (1), in the opening words, after “development” insert “of land in Wales”.

**Commencement Information**

**I7** Sch. 10 para. 7 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

- 8 In section 303 (fees for planning application etc.), after subsection (4) insert—
- (a) in subsection (4), for “appropriate authority” (in both places) substitute “Welsh Ministers”;
  - (b) after subsection (4) insert—

“(4A) The Secretary of State may by regulations make provision for the payment of a fee to the Secretary of State in respect of an application under section 293B, 293D or 293E.”

**Commencement Information**

**I8** Sch. 10 para. 8 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

- 9 In section 319A (determination of procedure for certain proceedings: England), in subsection (7)—
- (a) omit the “and” at the end of paragraph (d);
  - (b) after paragraph (e) insert “; and
    - (f) an application made to the Secretary of State under section 293D or 293E.”
  - (c) after paragraph (e) insert—
    - “(f) an application made to the Secretary of State under section 293D or 293E.”

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**Commencement Information**

**I9** Sch. 10 para. 9 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

- 10 In section 336 (interpretation), in subsection (1)—
- (a) in the definition of “planning decision”, for “Part III or section 293A” substitute “Parts 3 or 13”;
  - (b) in the definition of “planning permission”, for “Part III or section 293A” substitute “Parts 3 or 13”.

**Commencement Information**

**I10** Sch. 10 para. 10 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

**Commencement Information**

- I1** Sch. 10 para. 1 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I2** Sch. 10 para. 2 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I3** Sch. 10 para. 3 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
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- I6** Sch. 10 para. 6 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I7** Sch. 10 para. 7 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I8** Sch. 10 para. 8 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I9** Sch. 10 para. 9 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)
- I10** Sch. 10 para. 10 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

*Housing and Planning Act 2016 (c. 22)*

- 11 In section 205 (interpretation of sections 203 and 204), in subsection (1), in the definition of “planning consent”, for “Part 3 of the Town and Country Planning Act 1990 or section 293A of that Act” substitute “Parts 3 or 13 of the Town and Country Planning Act 1990”.

**Commencement Information**

**I11** Sch. 10 para. 11 in force at 26.12.2023 for specified purposes, see s. 255(3)(a)

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