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Status: This version of this schedule contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Neighbourhood Planning Act 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 3

Section 14

PLANNING CONDITIONS: CONSEQUENTIAL AMENDMENTS

1 The Town and Country Planning Act 1990 is amended as follows.

Commencement Information

II Sch. 3 para. 1 in force at 1.10.2018 by S.I. 2018/567, reg. 3(b)

PROSPECTIVE

- In section 70 (determination of applications: general considerations), after subsection (3) insert—
 - "(3A) See also section 100ZA, which makes provision about restrictions on the power to impose conditions under subsection (1)(a) on a grant of planning permission in relation to land in England."
- In section 72 (conditional grant of planning permission), after subsection (5) insert—
 - "(6) See also section 100ZA, which makes provision about restrictions on the power to impose conditions by virtue of this section on a grant of planning permission in relation to land in England."

Commencement Information

- I2 Sch. 3 para. 3 in force at 1.10.2018 by S.I. 2018/567, reg. 3(b)
- In section 73 (determination of applications to develop land without compliance with conditions previously attached), after subsection (2) insert—
 - "(2A) See also section 100ZA, which makes provision about restrictions on the power to impose conditions under subsection (2) on a grant of planning permission in relation to land in England."

Commencement Information

- I3 Sch. 3 para. 4 in force at 1.10.2018 by S.I. 2018/567, reg. 3(b)
- In section 90(3) (effect of deemed planning permission) after "except" insert "section 100ZA and ".

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Commencement Information

I4 Sch. 3 para. 5 in force at 1.10.2018 by S.I. 2018/567, reg. 3(b)

PROSPECTIVE

- In section 93 (provisions supplementary to sections 91 and 92), after subsection (4) insert—
 - "(5) Section 100ZA(1) (power to provide for restrictions in relation to conditions or limitations that may be imposed on a grant of planning permission in relation to land in England) does not apply in the case of conditions attached to a grant of planning permission as a result of section 91(1)(a) or 92(2).
 - (6) But section 100ZA(1) applies to the exercise of the powers conferred by section 91(1)(b) and 92(4) and (5)."

PROSPECTIVE

- In section 141 (action by Secretary of State in relation to purchase notice), after subsection (5) insert—
 - "(6) Section 100ZA(1) (which confers power to provide for restrictions in relation to conditions or limitations that may be imposed on a grant of planning permission for the development of land in England) applies in relation to conditions imposed under or by virtue of subsection (2) or (3) as it applies in relation to conditions imposed on a grant of planning permission to develop land which is granted on an application made under Part 3."
- 8 In section 177 (grant or modification of planning permission on appeals against enforcement notices), after subsection (4) insert—
 - "(4A) Section 100ZA (which makes provision about restrictions on the power to impose conditions or limitations on a grant of planning permission in relation to land in England) applies in relation to conditions substituted under subsection (4) as it applies in relation to conditions imposed on a grant of planning permission to develop land which is granted on an application made under Part 3."

Commencement Information

I5 Sch. 3 para. 8 in force at 1.10.2018 by S.I. 2018/567, reg. 3(b)

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View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act excluded in part by S.I. 2020/1297 art. 3(1)(g) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice Planning Court The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport Case No. CO/4844/2020))
- Act excluded in part by S.I. 2021/51 art. 3(e) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice Planning Court The Queen (on the application of Mair Bain) v. Secretary of State for Transport Case No. CO/642/2021).)
- Act excluded in part by S.I. 2024/564 art. 6(1)
- Act restricted by S.I. 2024/564 Sch. 14 Pt. 3 para. 4(1)