

Statutory Instrument 1997 No. 858

The Town and Country Planning (General Development Procedure) (Amendment) Order 1997

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STATUTORY INSTRUMENTS 1997 No. 858

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (General Development Procedure) (Amendment) Order 1997

Made 17th March 1997

Laid before Parliament 17th March 1997

Coming into force 1st July 1997

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 59, 74(1) and 333(7) of the Town and Country Planning Act 1990[1] and of all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation

1 . - (1) This Order may be cited as the Town and Country Planning (General Development Procedure) (Amendment) Order 1997 and shall come into force on 1st July 1997.

(2) In this Order - "the 1995 Order" means the Town and Country Planning (General Development Procedure) Order 1995[2].
Consultation before the grant of planning permission

2 . In the table in article 10(1) of the 1995 Order (consultation before the grant of planning permission), after paragraph (z) insert - " (za) Development likely to affect

(i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the British Waterways Board[3] ; or
(ii) any canal feeder channel, watercourse, let off or culvert, which is within an area which has been notified for the purposes of this provision to the local planning authority by the British Waterways Board".

The British Waterways Board

Transitional provision

3 . The amendments made to the 1995 Order by this Order shall not apply in relation to applications for planning permission made before 1st July 1997.

Signed by authority of the Secretary of State for the Environment

Robert Jones

Minister of State, Department of the Environment, 17th March 1997

Signed by authority of the Secretary of State for Wales

Gwilym Jones

Parliamentary Under-Secretary of State, Welsh Office
17th March 1997

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (General Development Procedure) Order 1995. It introduces a requirement for a local planning authority to consult the British Waterways Board before the grant of planning permission for development likely to affect specified inland waterways, reservoirs, canal feeder channels, watercourses, let offs and culverts.

Notes:

- [1] 1990 c.8 to which there are amendments not relevant to this Order. [back](#)
- [2] S.I. 1995/419; relevant amending instruments are S.I. 1996/525 and 1996/1817. [back](#)
- [3] See sections 1 and 10 of the Transport Act 1962 (c.46). [back](#)