
STATUTORY INSTRUMENTS

1998 No. 2800

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

The Town and Country Planning
General (Amendment) Regulations 1998

Made - - - - 13th November 1998
Laid before Parliament 24th November 1998
Coming into force - - 15th December 1998

The Secretary of State for the Environment, Transport and the Regions, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 316 and 333(1) of the Town and Country Planning Act 1990⁽¹⁾, and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning General (Amendment) Regulations 1998, and shall come into force on 15th December 1998.

Effect of planning permission: exclusion of certain interested authorities

2. After regulation 9 of the Town and Country Planning General Regulations 1992⁽²⁾, insert—

“Exclusion of certain authorities from regulation 9—England

- 9A.** Regulation 9 shall not apply where, in England, the interested planning authority is—
- (a) the council of a district for which there is no county council;
 - (b) the council of a county in which there are no district councils; or
 - (c) the council of a London borough.

(1) 1990 c. 8; section 316 was substituted by section 20 of the Planning and Compensation Act 1991 (c. 34); see section 336(1) for the definition of “prescribed”.
(2) S.I.1992/1492; a relevant amending instrument is S.I. 1992/1982.

Exclusion of certain authorities from regulation 9—Wales

- 9B.** Regulation 9 shall not apply where, in Wales, the interested planning authority is—
- (a) the council of a county; or
 - (b) the council of a county borough.”

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

10th November 1998

Richard Caborn
Minister of State,
Department of Environment, Transport and the
Regions

Signed by authority of the Secretary of State for Wales

13th November 1998

Jon Owen Jones
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Town and Country Planning General Regulations 1992. Generally, planning permission enures for the benefit of the land. Regulation 9 (effect of planning permission) of the 1992 Regulations provides an exception to this. Where an interested planning authority grants itself planning permission for its own development, the permission enures only for the benefit of the authority or, in the case of joint development, the authority and the other person(s) specified in the application for planning permission as the joint developer.

These Regulations exclude from the ambit of regulation 9 those planning authorities which are the sole local authority for their area, so that they may grant themselves permission which enures for the benefit of the land. In England, the councils in question are, a district council in an area where there is no county council, a county council in an area where there is no district council and a council of a London borough, and in Wales, a council of a county and a council of a county borough.