

SCHEDULES

SCHEDULE 3

PLANNING PERMISSION

Approvals: supplementary

- 18 A planning authority shall not be required to entertain any request for an approval required for the purposes of any provision of this Schedule unless the Concessionaires have deposited with them both—
- (a) a plan showing the Concessionaires' current proposals regarding the layout of the authorised development; and
 - (b) a schedule setting out the Concessionaires' current proposals regarding the timetable for carrying it out.
- 19 (1) The Secretary of State may give directions to a planning authority requiring any request by the Concessionaires for an approval required for the purposes of any provision of this Schedule to be referred to him instead of being dealt with by them.
- (2) A direction under this paragraph may relate either to a particular request or to requests of a class specified in the direction.
- (3) A request in respect of which such a direction has effect shall be referred to the Secretary of State accordingly.
- (4) The Secretary of State may refuse or impose conditions on an approval only on the grounds open to the authority required to refer the request for it.
- (5) The determination by the Secretary of State of the request shall be final.
- 20 The Secretary of State may give directions to a planning authority restricting the grant, either indefinitely or during such period as may be specified in the directions, of a particular approval required for the purposes of any provision of this Schedule or of approvals so required of a class specified in the directions.
- 21 (1) Where the Concessionaires are aggrieved by the decision of a planning authority on any request for an approval required for the purposes of any provision of this Schedule, they may by notice under this sub-paragraph appeal to the Secretary of State whose decision on the appeal shall be final.
- (2) Any notice under sub-paragraph (1) above shall be in writing and be served, within 28 days of notification of the decision to which it relates, on the Secretary of State and the authority whose decision is appealed against.
- (3) On an appeal under this paragraph, the Secretary of State may allow or dismiss the appeal or vary the decision of the authority whose decision is appealed against but may make a determination involving the refusal of, or imposition of conditions on, an approval only on the grounds open to that authority.

Status: This is the original version (as it was originally enacted).

- (4) Where the authority to whom a request for approval is made fail to notify the Concessionaires of their decision on that request within—
- (a) the period of two months beginning with the date on which that request was made; or
 - (b) such extended period as may from time to time be agreed upon in writing between the authority and the Concessionaires;
- the provisions of this paragraph shall apply in relation to the request as if the authority had refused it and as if they had notified the Concessionaires of their decision on the last day of the two month period or, where an extended period has been agreed, on the last day of that extended period.
- (5) No appeal under section 36 of the Act of 1971 may be made against any decision in relation to which a right of appeal arises under this paragraph.