

*These notes refer to the Crossrail Act 2008 (c.18)
which received Royal Assent on 22 July 2008*

CROSSRAIL ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SCHEDULES

Schedule 8 – Extension of Permitted Development Rights: supplementary provisions

223. Section 15 of the Act allows statutory undertakers to rely on their own permitted development rights for works they carry out in relation to Crossrail, provided that the significant impacts of such diversions have been environmentally assessed for the purpose of the project as a whole. However, *Schedule 8* enables the Secretary of State to intervene in this process for the purposes of avoiding a breach of a relevant Parliamentary undertaking or securing that the environmental effects of carrying out the development are not materially different from those assessed.
224. *Paragraph 1* provides the power for the Secretary of State to intervene to impose conditions on such development.
225. *Paragraphs 2 and 3* provide a further power for the Secretary of State to intervene in respect of proposed development where he is of the opinion that such development has not been the subject of environmental assessment or where it appears to the Secretary of State that a Parliamentary undertaking may be broken. The effect of this intervention is that the utility developer's deemed planning permission for such works is suspended or liable to revocation.
226. *Paragraphs 4-6* provide a mechanism for notifying the concerned developer and responsible planning authority of the Secretary of State's intervention and the reasons for it.