

2009 No. 2260 (C. 98)

**INFRASTRUCTURE PLANNING
TOWN AND COUNTRY PLANNING**

The Planning Act 2008 (Commencement No. 2) Order 2009

Made - - - -

1st September 2009

The Secretary of State, in exercise of the powers conferred by section 241(3) and (8) of the Planning Act 2008(a), makes the following Order:

Citation and interpretation

- 1.—(1) This Order may be cited as the Planning Act 2008 (Commencement No. 2) Order 2009.
- (2) In this Order “the Act” means the Planning Act 2008.

Provisions coming into force on 1st October 2009 in relation to England and Wales and, to the extent specified in section 240(4) of the Act, to Scotland

2. The following provisions of the Act (so far as they are not yet in force) shall come into force, in relation to England and Wales and, to the extent specified in section 240(4) of the Act, to Scotland, on 1st October 2009—

- (a) sections 1 to 4 and Schedule 1;
- (b) sections 37 to 54; and
- (c) sections 56 to 59.

Provision coming into force on 1st October 2009 in relation to England and Wales

3. Subsections (1) to (3), (5) and (6) of section 190 of the Act shall come into force, in relation to England and Wales, on 1st October 2009.

Provision coming into force on 1st October 2009 in relation to England

4. Section 200 of the Act shall come into force, in relation to England, on 1st October 2009.

Signed by authority of the Secretary of State for Communities and Local Government

1st September 2009

Bill McKenzie
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force, on 1st October 2009, the following provisions of the Planning Act 2008 (“the Act”), in relation to England and Wales and, to the extent specified in section 240(4) of the Act, to Scotland, so far as they are not already in force —

sections 1 to 4 and Schedule 1 (the Infrastructure Planning Commission).

sections 37 to 40 (applications);

sections 41 to 50 (pre-application procedures);

sections 51 to 54 (assistance for applicants and others); and

sections 56 to 59 (handling of applications by Commission).

Article 3 of this Order brings into force, on 1st October 2009, in relation to England and Wales, subsections (1) to (3), (5) and (6) of section 190 of the Act (power to make non-material changes to planning permission).

Article 4 of this Order brings into force, on 1st October 2009, in relation to England, section 200 of the Act (fees for appeals).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 5 to 12 (so far as not already in force)	6th April 2009	2009/400
Section 13	6th April 2009	2009/400
Section 175 partially as to England and Wales, (so far as it is not already in force)	6th April 2009	2009/400
Section 176 partially as to Scotland	6th April 2009	2009/400
Section 177 as to England and Wales	6th April 2009	2009/400
Section 178 as to Scotland	6th April 2009	2009/400
Section 179 as to England and Wales	6th April 2009	2009/400
Section 180 to 182 as to England and Wales (so far as not already in force)	6th April 2009	2009/400
Section 183 as to England	6th April 2009	2009/400
Section 184 as to England and Wales	6th April 2009	2009/400
Section 185 as to England	6th April 2009	2009/400
Section 187 and paragraphs 1, 2(1) and (2), 3(1), (2) and (4) and 4 to 6 of Schedule 7 as to England	6th April 2009	2009/400

Paragraphs 2(3) and (4) and 3(3) of Schedule 7 as to England and Wales	6th April 2009	2009/400
Section 188 as to England	23rd June 2009	2009/1303
Section 191(1) and (3) as to England	6th April 2009	2009/400
Section 191(2) as to Wales	6th April 2009	2009/400
Section 194 and paragraphs 1 to 4 and paragraph 6 of Schedule 9 as to England and Wales	6th April 2009	2009/400
Section 195 as to England and Wales	6th April 2009	2009/400
Section 196 and paragraphs 1, 3 to 6, and 10 to 14 of Schedule 10 partially as to England and Wales	6th April 2009	2009/400
Section 197 and Schedule 11, section 198 and 199 as to England	6th April 2009	2009/400
Section 206 partially as to England and Wales	6th April 2009	2009/400
Section 211(7) as to England and Wales	6th April 2009	2009/400
Section 224(1) and (4) as to England and Wales	6th April 2009	2009/400
Section 224(1) and (4) as to England and Wales	6th April 2009	2009/400
Section 238 and Schedule 13 partially as to England and Wales	6th April 2009	2009/400
Section 238 and Schedule 13 partially as to England	6th April 2009	2009/400
Section 238 and Schedule 13 partially as to England	23rd June 2009	2009/1303

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STATUTORY INSTRUMENTS

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