STATUTORY INSTRUMENTS

1965 No. 498

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning General Development (Amendment) Order 1965

Made - - - -	*17th March* 1965
Laid before Parliament	*24th March* 1965
Coming into Operation	*1st April* 1965

The Minister of Housing and Local Government, in exercise of the powers conferred on him by sections 14, 19, 43 and 217 of the Town and Country Planning Act 1962(a) and of all other powers enabling him in that behalf, hereby orders as follows :—

1.—(1) This order may be cited as the Town and Country Planning General Development (Amendment) Order 1965, and the Town and Country Planning General Development Orders 1963 and 1964(b) and this order may be cited together as the Town and Country Planning General Development Orders 1963 to 1965.

(2) This order shall come into operation on 1st April 1965.

(3) The Interpretation Act 1889(c) shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

2. The Town and Country Planning General Development Order 1963 is hereby amended as follows :—

(*a*) In article 2(1)—

(i) at the end of the definition of " trunk road " there shall be added the words " and, in Greater London outside the City of London, includes a proposed trunk road, or proposed trunk road improvement, the route of which has been notified in writing by the Minister of Transport to the Greater London Council and to the council of every London borough in which the road will be situate " ;

(ii) the following definitions shall be added :—

" the Common Council " means the Common Council of the City of London ;

" local authority " means the council of a county, county borough or county district, the Common Council, the Greater London Council, the council of a London borough and any other authority (except the Receiver for the Metropolitan Police District) who are a local authority within the meaning of the Local Loans Act 1875(d), and includes any drainage board and any joint board or joint committee if all the constituent authorities are local authorities within the meaning of that Act ;

(a) 10 & 11 Eliz. 2. c. 38. (b) S.I. 1963/709, 1964/1239 (1963 I, p. 862; 1964 II, p. 2871.)
(c) 52 & 53 Vict. c. 63. (d) 38 & 39 Vict. c. 83.

"local planning authority" means, in relation to development of land in Greater London, the authority in Greater London which, by virtue of section 24 of the London Government Act 1963(a) or of regulations made by the Minister under that section, is the local planning authority in relation to that class of development in the area of Greater London where the land is situate;

(*b*) For article 5(5) there shall be substituted the following:—

"(5) Any application made under this article shall be lodged:—

(i) where the land in respect of which the application is made is in Greater London, with the Common Council or with the council of the London borough in which the land is situate, as the case may be;

(ii) where the land is not in Greater London, with the council of the county borough or county district in which the land is situate,

and the authority with whom the application is lodged shall, where necessary, transmit it to the local planning authority to whom it is made.";

(*c*) In article 11—

(i) paragraph (1)(*f*) shall be deleted;

(ii) the following paragraph shall be added after paragraph (1):—

"(1A) Before granting permission for development of any land in Greater London, whether unconditionally or subject to conditions, the Greater London Council shall consult with the Common Council or with the council of the London borough in which the land is situate, as the case may be.";

(*d*) In article 14(1), after sub-paragraph (*e*) there shall be inserted the following:—

"(*f*) in the case of the register kept by the Common Council or by a London borough council, all such particulars of any application for permission for development made to the Greater London Council as local planning authority as are required by (*a*) to (*c*) above in respect of such applications made to the Common Council or to the London borough council, as the case may be, as local planning authority.";

(*e*) The following paragraph shall be substituted for article 14(3):—

"(3) Such register shall be kept at the office of the local planning authority:

Provided that, where the authority is a county council, so much of the register as relates to land in a county district may be kept at a place within or convenient to that district.";

(*f*) In article 14, after paragraph (4) there shall be added the following paragraph:—

"(5) In this article "local planning authority" includes a London borough council or the Common Council but does not include the Greater London Council.";

(*g*) In Class XIV of Part I of Schedule 1, the words "or the London County Council", wherever they occur, shall be deleted.

(a) 1963 c. 33.

(*h*) In Schedule 2—

(i) For the words in paragraph (2) of Part II " on [the Council of the county borough or county district in which the land is situated]* " there shall be substituted the words " on the Common Council, or on the council of the county borough, London borough or county district in which the land is situated, as the case may be," ;

(ii) the footnote at the end of the Schedule shall be deleted.

Given under the official seal of the Minister of Housing and Local Government on 17th March 1965.

(L.S.) *R. H. S. Crossman,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This order amends the Town and Country Planning General Development Order 1963 in its relation to Greater London, to take account of the changes made by the London Government Act 1963.