STATUTORY INSTRUMENTS

1965 No. 1659

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (New Towns Special Development) (Amendment) Order 1965

Made - - - -	31*st August* 1965
Laid before Parliament	8*th September* 1965
Coming into Operation	9*th September* 1965

The Minister of Housing and Local Government, in exercise of the powers conferred upon him by section 14 of the Town and Country Planning Act 1962(a) and section 3(2) of the New Towns Act 1946(b) as amended by the Town and Country Planning Act 1947(c) 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 (New Towns Special Development) (Amendment) Order 1965.

(2) This order shall not extend to Wales.

(3) This order shall come into operation on 9th September 1965.

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

2. In the Town and Country Planning (New Towns Special Development) Order 1963(e), for article 4 there shall be substituted the following article—

"4.—(1) Nothing in this order shall operate so as to permit any development—

(*a*) for which permission is required as a result of an order under section 27 or section 28 of the Act;

(*b*) which is industrial development, unless—

(i) the Board of Trade have granted the certificate under section 38 of the Act which would have been required in the case of an application for planning permission for that development, or

(ii) the circumstances are such that no such certificate would have been required for that development;

(*c*) which is office development, unless—

(i) the Board of Trade have granted the permit under Part I of the Control of Office and Industrial Development Act 1965(f) (in this article referred to as "the Act of 1965") which would have been required in the case of an application for planning permission for that development, or

(a) 10 & 11 Eliz. 2. c. 38.
(b) 9 & 10 Geo. 6. c. 68.
(c) 10 & 11 Geo. 6. c. 51.
(d) 52 & 53 Vict. c. 63.
(e) S.I. 1963/1142 (1963 II, p. 1936).
(f) 1965 c. 33.

(ii) the circumstances are such that no such permit would have been required for that development.

(2) In this article " industrial development " means any development of land which consists of, or includes, either the erection of an industrial building of any class prescribed by regulations for the time being in force under section 38 of the Act or a change of use whereby premises, not being an industrial building of any class so prescribed, will become such an industrial building; " office development " means any development of land which consists of, or includes,—

(*a*) the erection of a building containing office premises, or

(*b*) the extension or alteration of a building by the addition of, or the conversion of premises into, office premises, or

(*c*) a change of use whereby premises which are not office premises become office premises;

and " office premises " has the meaning assigned to that expression by Part I of the Act of 1965."

Given under the official seal of the Minister of Housing and Local Government on 31st August 1965.

(L.S.)

R. H. S. Crossman,
Minister of Housing and Local Government.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This order amends the Town and Country Planning (New Towns Special Development) Order 1963.

That order permits the development of land within the area designated as the site of a new town, where the development is in accordance with proposals approved by the Minister of Housing and Local Government under section 3(1) of the New Towns Act 1946. This order provides that where any such development in England involves office development restricted by the Control of Office and Industrial Development Act 1965 the requirements of that Act shall be complied with; and it modifies those provisions of the order of 1963 which relate to industrial development so that the same degree of control as is applied by this order to office development may be applied to industrial development.