

**2004 No. 1231**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Town and Country Planning (London Borough of Camden)  
Special Development Order 2004**

<i>Made</i> - - - -	<i>28th April 2004</i>
<i>Laid before Parliament</i>	<i>6th May 2004</i>
<i>Coming into force</i> - -	<i>31st May 2004</i>

The First Secretary of State, in exercise of the powers conferred upon him by sections 59, and 333(7) of the Town and Country Planning Act 1990(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, application and commencement**

1.—(1) This Order may be cited as the Town and Country Planning (London Borough of Camden) Special Development Order 2004 and shall come into force on 31 May 2004.

(2) This Order applies to land within the designated area.

**Interpretation**

2. In this Order, unless the context otherwise requires—

“the designated area” means any land situated within the London Borough of Camden;

“the 1995 Order” means the Town and Country Planning (General Development Procedure) Order 1995(b); and expressions used in this Order shall have the meaning which they bear in the 1995 Order;

“local planning authority” means the Council of the London Borough of Camden.

**Application of the Town and Country Planning (General Development Procedure) Order 1995**

3. The 1995 Order shall apply to the land to which this Order applies subject to the provisions of this Order.

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(a) 1990 c.8; to which there are amendments not relevant to this Order. The functions of the Secretary of State under sections 59 and 333(7) were, so far as exercisable in relation to Wales transferred to the National Assembly for Wales by article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672: *see* the entry in Schedule 1 for the Town and Country Planning Act 1990 (c.8), as substituted by article 4 of, and Schedule 3 to, the National Assembly for Wales (Transfer of Functions) Order, S.I. 2000/253.

(b) S.I. 1995/419; relevant amending instruments are S.I.1999/293; and S.I. 2003/956.

## Publicity for applications for planning permission

4. For paragraphs (2) to (5) of article 8 of the 1995 Order there shall be substituted—

“(2) In the case of a planning application for planning permission within the designated area for development—

- (a) which is the subject of an EIA application accompanied by an environmental statement, the application shall be publicised in the manner specified in paragraph (3);
- (b) which does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated, shall be publicised in the manner specified in paragraph (3A);
- (c) which would affect a right of way to which Part III of the Wildlife and Countryside Act 1981 (public rights of way) applies the application shall be publicised in the manner specified in paragraph (3A).

(3) An application falling within paragraph (2)(a) shall be publicised by the local planning authority giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; and
- (b) by local advertisement.

(3A) An application falling within paragraph (2)(b) or (2)(c) shall be publicised by the local planning authority giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; and
- (b) where the local planning authority maintains a website for the purpose of advertisement of applications, by publication of the notice on the website.

(4) In the case of an application for planning permission to which paragraph (2) does not apply, if the application is for major development the application shall be publicised by the local planning authority—

- (a) by giving requisite notice by site display in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving the notice on any adjoining owner or occupier, and

where the local planning authority maintains a website for the purpose of advertisement of applications, shall also be published on that website.

(5) In the case of an application to which neither paragraph (2) nor paragraph (4) applies, the application shall be publicised by the local planning authority giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving the notice on any adjoining owner or occupier”.

Signed by authority of the First Secretary of State

28th April 2004

*Keith Hill*  
Minister of State  
Office of the Deputy Prime Minister

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is a special development order made under section 59 of the Town and Country Planning Act 1990 applying to land within the London Borough of Camden.

It makes provision for publicity for planning applications for development within the designated area in order to permit some applications to be advertised on an internet website. EIA applications accompanied by an environmental statement are required to be publicised by both a site notice and local advertisement. Applications which do not accord with the development plan or would affect a public right of way are required to be publicised by site notice and by a notice published on a website (if one is maintained by the local planning authority for this purpose). All other applications, including those for major development, are required to be publicised either by a site notice or by serving notice on any adjoining owner or occupier. Applications for major development are additionally required to be publicised by a notice published on a website (if one is maintained by the local authority for this purpose). In all other respects the provisions of the 1995 Order will continue to apply to land within the designated area.

A full regulatory impact assessment has not been produced for this instrument, as it has no impact on the costs of businesses, charities or voluntary bodies.

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The Town and Country Planning (London Borough of Camden)  
Special Development Order 2004

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