STATUTORY INSTRUMENTS

1967 No. 430

LONDON GOVERNMENT

The Town and Country Planning (Local Planning Authorities in Greater London) (Amendment) Regulations 1967

Made - - - - 16*th March* 1967

Coming into Operation 1*st April* 1967

The Minister of Housing and Local Government, in exercise of the powers conferred on him by section 24(6) of the London Government Act 1963(**a**) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Town and Country Planning (Local Planning Authorities in Greater London) (Amendment) Regulations 1967, and the Town and Country Planning (Local Planning Authorities in Greater London) Regulations 1965(**b**) and these regulations may be cited together as the Town and Country Planning (Local Planning Authorities in Greater London) Regulations 1965 and 1967.

(2) These regulations shall come into operation on 1st April 1967.

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

2. Regulation 4(1) of the Town and Country Planning (Local Planning Authorities in Greater London) Regulations 1965 is hereby amended as follows:—

(*a*) In sub-paragraph (d), for the words " more than 2,500 square feet of floor space to be used as an office within the meaning of the order of 1963 ", there shall be substituted the words " more than 3,000 square feet of office floor space within the meaning of Part I of the Control of Office and Industrial Development Act 1965(**d**) ";

(*b*) For sub-paragraphs (*e*) and (*f*) there shall be substituted the following:—

" (*e*) any development of land within 110 feet of a passenger station of the British Railways Board or the London Transport Board, except the extension of an existing building or the erection, within the curtilage of an existing building, of a building to be used for the same purpose as the existing building, so as to provide, in either case, additional floor space having an area of not more than 50 per cent of the area of floor space in the existing building, or not more than 5,000 square feet, whichever is the less;

" (*f*) development of any of the following classes on land any part of which is within 220 feet of the centre of a metropolitan road or of a proposed metropolitan road:—

(i) development which includes or involves the making of a new means of access or the alteration of an existing means of access, to a metropolitan road, or will, in the opinion of the council dealing with the application, result in a material increase in the use of that access;

(ii) the erection of a building, other than a building which is within the curtilage of an existing building and is to be used for the same purpose as the existing building;

(iii) the extension of an existing building or the erection, within the curtilage of an existing building, of a building to be used for the same purpose as the existing building, so as to provide, in

(**a**) 1963 c. 33.
(**b**) S.I. 1965/679 (1965 I, p. 2097).
(**c**) 52 & 53 Vict. c. 63.
(**d**) 1965 c. 33.

either case, additional floor space having an area of more than 50 per cent of the area of floor space in the existing building, or more than 5,000 square feet, whichever is the less;

(iv) the extension of an existing building or the erection, within the curtilage of an existing building, of a building to be used for the same purpose as the existing building, so as to provide, in either case, additional floor space of a lesser area than that specified in the last preceding sub-paragraph, if the development involves building in advance of the line of that main wall of the existing building which is nearest to the metropolitan road or proposed metropolitan road;";

(*c*) At the end of the paragraph there shall be added the following proviso:—

" Provided that, except in the case of development falling within any of the classes set out in sub-paragraphs (*b*), (*c*), (*d*) and (*k*) of this paragraph, the council of a London borough or the Common Council shall not be required to refer an application to the Greater London Council if an application for planning permission for development of the same type relating to the same building or to a building of similar size on the same site on the land has been referred to that Council within the period of three years before the date of the present application and either no direction was issued under regulation 7 of these regulations or a direction was issued under that regulation requiring the imposition of conditions and the council of the London borough or the Common Council, as the case may be, wish to impose the same conditions when granting planning permission on the present application.".

Given under the official seal of the Minister of Housing and Local Government on 16th March 1967.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

These regulations amend regulation 4(1) of the Town and Country Planning (Local Planning Authorities in Greater London) Regulations 1965. That regulation was made pursuant to section 24(6) of the London Government Act 1963, and specifies certain classes of application for planning permission which a London borough council (or the Common Council) who are dealing with the application as local planning authority must refer to the Greater London Council before granting permission.

Regulation 2 of the present regulations:—

(i) makes minor alterations in the scope of the original sub-paragraphs (*d*), (*e*) and (*f*) of regulation 4(1); and

(ii) adds a proviso to regulation 4(1) to the effect that there is no obligation to refer to the Greater London Council applications falling within the scope of any of the sub-paragraphs (*a*) and (*e*) to (*j*) of that regulation, if a similar application relating to the same building, or to the same land, has been referred to the Council under the regulation within the previous three years and either the Council did not then object to the granting of planning permission on such terms as the local planning authority saw fit or the local planning authority propose to impose conditions which the Council directed should be imposed on the previous occasion.