

The Town and Country Planning (Development Affecting Trunk Roads) Direction 2018

The Secretary of State, in exercise of the powers conferred by articles 18(4), 31(1) and 45 of the Town and Country Planning (Development Management Procedure) (England) Order 2015¹ (“the Order”), directs as follows;

1. This Direction shall come into force on the 23rd February 2018
2. In this Direction “strategic highways company” means a company for the time being appointed under Part 1 of the Infrastructure Act 2015.
3. This Direction applies where—
 - (a) A local planning authority consults a strategic highways company under article 18 or 20 of the Order before granting planning permission;
 - (b) The strategic highways company makes a recommendation as to the determination of the application for planning permission; and
 - (c) The local planning authority does not propose to determine the application in accordance with that recommendation.
4. The local planning authority must consult the Secretary of State and, for that purpose, must as soon as practicable send to the Secretary of State—
 - (a) A copy of the application together with any accompanying plans and drawings;
 - (b) A copy of any representations made to the local planning authority in respect of the application (including those made by the company); and
 - (c) The reasons why the local planning authority does not propose to determine the application in accordance with the strategic highways company’s recommendation.
5. The local planning authority must not determine the application unless—
 - (a) The Secretary of State gives a direction under article 31 of the Order in respect of the application (and the authority must then determine the application in accordance with the terms of the direction); or
 - (b) The authority receives notification by or on behalf of the Secretary of State that the Secretary of State does not propose to give any such direction in respect of the application; or
 - (c) A period of 21 days beginning with the date which the Secretary of State tells the authority in writing is the date the Secretary of State received the material specified in paragraph 4, has elapsed without the Secretary of State giving such a direction.
6. The Town and Country Planning (Development Affecting Trunk Roads) Direction 2015 is cancelled.

Signed on behalf of the Secretary of State for Transport



Director General
Department for Transport

Date 23rd February 2018

¹ S.I. 2015/595, amended by S.I. 2017/402 and S.I. 2017/571.