

# INFRASTRUCTURE PLANNING

## The Infrastructure Planning (Transitional Provisions) Direction 2012

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by section 129 of the Localism Act 2011(a), gives the following Direction:

### Citation, commencement and interpretation

1.—(1) This Direction may be cited as the Infrastructure Planning (Transitional Provisions) Direction 2012 and shall come into force on 1st April 2012.

(2) In this Direction—

“2008 Act” means the Planning Act 2008(b);

“2011 Act” means the Localism Act 2011;

“abolition date” means 1st April 2012, being the date on which section 128(1) of the 2011 Act comes into force ;

“Commission” means the Infrastructure Planning Commission established under section 1 of the 2008 Act (the Infrastructure Planning Commission); and

“development consent” has the meaning given by section 31 of the 2008 Act (when development consent is required).

### General transitional arrangements for applications and proposed applications

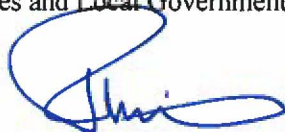
2.—(1) Paragraph (2) shall apply to any application or proposed application—


- (a) which is an application or proposed application for an order granting development consent; and
- (b) in respect of which the Commission has, before the abolition date, been notified in accordance with section 46 of the 2008 Act (duty to notify Commission of proposed application).

(2) So far as required for continuing its effect on and after the abolition date, anything done before that date in relation to an application or proposed application within paragraph (1), for the purposes of the 2008 Act—

- (a) shall be treated as if it had been done for the purposes of the provisions of the 2008 Act as amended by the 2011 Act(c); and
- (b) anything so done by the Commission or the Chair of the Commission shall be treated as if it had been done by the Secretary of State.

Signed by the authority of the Secretary of State  
for Communities and Local Government



  
Parliamentary under Secretary of State  
Department for Communities and Local Government

---

(a) c. 20.

(b) c. 29.

(c) The relevant provisions of the Planning Act 2008 are amended by Part 6 of Chapter 6 of, and Schedule 13 to, the Localism Act 2011. These provisions are expected to be brought into force by the Localism Act 2011 (Commencement No. 3, Transitional, Savings and Transitory Provisions) Order on 1st April 2012.