



# Local Government, Planning and Land Act 1980

## 1980 CHAPTER 65

### PART XVI

#### URBAN DEVELOPMENT

##### *Planning functions*

#### **149 Corporation as planning authority.**

- (1) If the Secretary of State so provides by order, an urban development corporation shall be the local planning authority for the whole or any portion of its area <sup>F1</sup> for such purposes of [<sup>F2</sup>Part III of the 1990 Act], and in relation to such kinds of development, as may be prescribed.
- (2) The order may provide—
  - (a) that any enactment relating to local planning authorities shall not apply to the corporation; and
  - (b) that any such enactment which applies to the corporation shall apply to it subject to such modifications as may be specified in the order.
- (3) If the Secretary of State so provides by order—
  - (a) an urban development corporation specified in the order shall have, in the whole or any portion of its area and <sup>F1</sup>, the functions conferred by such of the provisions of [<sup>F3</sup>the 1990 Act and the Planning (Listed Buildings and Conservation Areas) Act 1990] mentioned in Part I of Schedule 29 to this Act as are specified in the order;
  - (b) such of the provisions of [<sup>F4</sup>those Acts] specified in Part II of that Schedule as are mentioned in the order shall have effect, in relation to an urban development corporation specified in the order and to land in that corporation's area, subject to the modifications there specified.

**Changes to legislation:** Local Government, Planning and Land Act 1980, Section 149 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(4) An order under subsection (3) above may provide—

- (a) that any enactment relating to local planning authorities shall apply to the urban development corporation specified in the order for the purposes of any of the provisions specified in Schedule 29 to this Act which relate to land in the urban development area by virtue of the order; and
- (b) that any such enactment which so applies to the corporation shall apply to it subject to such modifications as may be specified in the order.

(5)

<sup>F5</sup>(6) In Scotland, if the Secretary of State so provides by order, an urban development corporation shall be the planning authority for the whole or any portion of its area <sup>F6</sup>. . . for such purposes of [<sup>F7</sup>Part III of the 1997 Act]), and in relation to such kinds of development, as may be prescribed.

(7) An order under subsection (6) above may provide—

- (a) that any enactment relating to planning authorities shall not apply to the corporation; and
- (b) that any such enactment which applies to the corporation shall apply to it subject to such modifications as may be specified in the order.

(8) If the Secretary of State so provides by order—

- (a) an urban development corporation specified in the order shall have, in the whole or any portion of its area and <sup>F6</sup>. . . , the functions conferred by such of the provisions of [<sup>F7</sup>the 1997 Act and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997] mentioned in Part I of Schedule 30 to this Act as are specified in the order;
- (b) such of the provisions of [<sup>F7</sup>those Acts] specified in Part II of that Schedule as are mentioned in the order shall have effect, in relation to an urban development corporation specified in the order and to land in that corporation's area, subject to the modifications there specified.

(9) An order under subsection (8) above may provide—

- (a) that any enactment relating to planning authorities shall apply to the urban development corporation specified in the order for the purposes of any of the provisions specified in Schedule 30 to this Act which relate to land in the urban development area by virtue of the order; and
- (b) that any such enactment which so applies to the corporation shall apply to it subject to such modifications as may be specified in the order.

<sup>F8</sup>(10) . . . . .

(11) An order under this section shall have effect subject to such savings and transitional and supplementary provisions as may be specified in the order.

(12) The power to make an order under this section shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(13) In this section “prescribed” means prescribed by an order under this section.

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### Textual Amendments

- F1** Words repealed by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I**
- F2** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 44(6)(a)**
- F3** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 44(6)(b)**
- F4** Words substituted by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 44(6)(c)**
- F5** Ss. 119, 149(5), 150 repealed by [Planning \(Consequential Provisions\) Act 1990](#) (c. 11, SIF 123:1, 2), s. 3, **Sch. 1 Pt. I**
- F6** Words in s. 149(6)(8)(a) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)
- F7** Words in s. 149(6)(8)(a)(b) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 31(6)**
- F8** S. 149(10) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), **Sch. 1 Pt. I** (with s. 5, Sch. 3)

### Modifications etc. (not altering text)

- C1** S. 149 applied (with modifications) (E.) (30.3.2006) by [London Olympic Games and Paralympic Games Act 2006](#) (c. 12), **ss. 5(1)(a)(3)(a)(6)**, 40(1)(b)
- C2** S. 149(3)(a) extended by [Electricity Act 1989](#) (c. 29, SIF 44:1), s. 36(8), Sch. 8 para. 8(2)(a) (with s. 112(3), **Sch. 17 para. 35(1)**)
- C3** S. 149(3)(a) extended by [Housing and Planning Act 1986](#) (c. 63, SIF 123:1), **s. 44(3)**
- C4** S. 149(8)(a) extended by [Electricity Act 1989](#) (c. 29, SIF 44:1), s. 36(8), **Sch. 8 para. 8(2)(b)**, (with s. 112(3), Sch. 17 para. 35(1))

**Changes to legislation:**

Local Government, Planning and Land Act 1980, Section 149 is up to date with all changes known to be in force on or before 29 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

View outstanding changes

**Changes and effects yet to be applied to :**

- s. 149(2) words substituted by [2023 c. 55 s. 174\(2\)\(b\)](#)
- s. 149(3)(a) words omitted by [2023 c. 55 s. 174\(2\)\(d\)\(i\)](#)
- s. 149(3)(b) words omitted by [2023 c. 55 s. 174\(2\)\(d\)\(ii\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 98(A1)(B1) inserted by [2016 c. 22 s. 209\(2\)](#)
- s. 98(8)(d) and word added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8)(d) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(i\)](#)
- s. 98(8)(d) words substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(ii\)](#)
- s. 98(8A) added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8A) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(b\)](#)
- s. 98(8A)(d) word repealed by [1999 c. 29 Sch. 34 Pt. 8](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) and word inserted by [1999 c. 29 Sch. 29 para. 30](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) substituted by [2017 c. 3 Sch. 2 para. 58](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(eza)(ezb) inserted by [2009 c. 20 Sch. 6 para. 50](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ezc) inserted by [2023 c. 55 Sch. 4 para. 64](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(aa) inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(4\)](#)
- s. 98(8A)(ea) inserted by [2007 c. 28 Sch. 13 para. 36\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ea) omitted by [2015 c. 20 Sch. 13 para. 6\(14\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(10) inserted by [2016 c. 22 s. 209\(3\)](#)
- s. 100(1)(1A) substituted for s. 100(1) by [1989 c. 42 Sch. 11 para. 57](#)
- s. 100(1)(a) amended by [1999 c. 29 Sch. 29 para. 32](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(6\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 16 para. 57(6) repealed (19.11.1998) without ever being in force by 1998 c. 43, s. 1(1), Sch. 1 Pt. X Group 5)
- s. 100(1)(a) words inserted by [2009 c. 20 Sch. 6 para. 52](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)

- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 13 para. 36\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 14 para. 3\(3\)\(a\)](#)
- s. 100(1)(a) words substituted by [2015 c. 20 Sch. 13 para. 6\(14\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2017 c. 3 Sch. 2 para. 60](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2023 c. 55 Sch. 4 para. 66](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1A) words substituted by [S.I. 2009/1941 Sch. 1 para. 46\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1ZA)(1ZB) inserted by [2007 c. 28 Sch. 14 para. 3\(3\)\(b\)](#)
- s. 134(1B) inserted by [2023 c. 55 s. 171\(2\)](#)
- s. 134(3C) inserted by [2023 c. 55 Sch. 16 para. 2\(5\)](#)
- s. 134(6)(7) inserted by [2023 c. 55 Sch. 16 para. 2\(11\)](#)
- s. 134A inserted by [2023 c. 55 s. 171\(3\)](#)
- s. 135(4A)–(4C) inserted by [2023 c. 55 s. 171\(6\)](#)
- s. 135(7) inserted by [2023 c. 55 Sch. 16 para. 3\(3\)](#)
- s. 135A inserted by [2023 c. 55 s. 171\(7\)](#)
- s. 149(1A) inserted by [2023 c. 55 s. 174\(2\)\(a\)](#)
- s. 149(2A) inserted by [2023 c. 55 s. 174\(2\)\(c\)](#)
- s. 149(3A) inserted by [2023 c. 55 s. 174\(2\)\(e\)](#)
- s. 149(4A) inserted by [2023 c. 55 s. 174\(2\)\(f\)](#)
- s. 149A inserted by [2023 c. 55 s. 174\(3\)](#)
- Sch. 26 para. 1A inserted by [2023 c. 55 s. 178\(1\)\(b\)](#)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 13 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 16 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 29 Pt. 1 para. 1 inserted by [2023 c. 55 s. 174\(4\)\(a\)](#)
- Sch. 29 Pt. 1 para. 3 inserted by [2023 c. 55 s. 174\(4\)\(c\)](#)
- Sch. 29 Pt. 1 para. 5 inserted by [2023 c. 55 s. 174\(4\)\(e\)](#)
- Sch. 29 Pt. 1 para. 2 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 2 by [2023 c. 55 s. 174\(4\)\(b\)](#)
- Sch. 29 Pt. 1 para. 4 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 4 by [2023 c. 55 s. 174\(4\)\(d\)](#)
- Sch. 31 para. 8(2A) inserted by [2023 c. 55 s. 179\(1\)\(b\)](#)