
Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 24. (See end of Document for details)

SCHEDULES

SCHEDULE 7

PLANNING IN ENGLAND AND WALES: MINOR AND CONSEQUENTIAL AMENDMENTS

Part VII

- 24 (1) In section 177(1)—
- (a) for paragraph (a) there is substituted—
 - “(a) grant planning permission in respect of the matters stated in the enforcement notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the notice relates;” and
 - (b) for paragraph (c) there is substituted—
 - “(c) determine whether, on the date on which the appeal was made, any existing use of the land was lawful, any operations which had been carried out in, on, over or under the land were lawful or any matter constituting a failure to comply with any condition or limitation subject to which planning permission was granted was lawful and, if so, issue a certificate under section 191.
- (1A) The provisions of sections 191 to 194 mentioned in subsection (1B) shall apply for the purposes of subsection (1)(c) as they apply for the purposes of section 191, but as if—
- (a) any reference to an application for a certificate were a reference to the appeal and any reference to the date of such an application were a reference to the date on which the appeal is made; and
 - (b) references to the local planning authority were references to the Secretary of State.
- (1B) Those provisions are: sections 191(5) to (7), 193(4) (so far as it relates to the form of the certificate), (6) and (7) and 194”.
- (2) For section 177(3) there is substituted—
- “(3) The planning permission that may be granted under subsection (1) is any planning permission that might be granted on an application under Part III.”
- (3) In section 177(5) for “for the development to which the notice relates” there is substituted “in respect of the matters stated in the enforcement notice as constituting a breach of planning control”.

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Commencement Information

- II** [Sch. 7 para 24](#) wholly in force; [para. 24](#) not in force at Royal Assent see [s. 84\(2\)](#); [para. 24\(1\)\(a\)\(2\)\(3\)](#) wholly in force at 2.1.1992 by [S.I. 1991/2905](#), [art. 3](#), [Sch. 1](#) (subject to [art. 5](#) of that S.I.); [para. 24\(1\)\(b\)](#) in force at 27.7.1992 by [S.I. 1992/1630](#), [art. 2](#), [Sch. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 24.