



# Planning Act 2008

## 2008 CHAPTER 29

### PART 4

#### REQUIREMENT FOR DEVELOPMENT CONSENT

#### **32 Meaning of “development”**

- (1) In this Act (except in Part 11) “development” has the same meaning as it has in TCPA 1990.

This is subject to subsections (2) and (3).

- (2) For the purposes of this Act (except Part 11)—
- (a) the conversion of a generating station with a view to its being fuelled by crude liquid petroleum, a petroleum product or natural gas is treated as a material change in the use of the generating station;
  - (b) starting to use a cavity or strata for the underground storage of gas is treated as a material change in the use of the cavity or strata;
  - (c) an increase in the permitted use of an airport is treated as a material change in the use of the airport.
- (3) For the purposes of this Act (except Part 11) the following works are taken to be development (to the extent that they would not be otherwise)—
- (a) works for the demolition of a listed building or its alteration or extension in a manner which would affect its character as a building of special architectural or historic interest;
  - (b) demolition of a building in a conservation area;
  - (c) works resulting in the demolition or destruction of or any damage to a scheduled monument;
  - (d) works for the purpose of removing or repairing a scheduled monument or any part of it;
  - (e) works for the purpose of making any alterations or additions to a scheduled monument;

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*Changes to legislation: Planning Act 2008, Section 32 is up to date with all changes known to be in force on or before 22 April 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*

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(f) flooding or tipping operations on land in, on or under which there is a scheduled monument.

(4) In this section—

“conservation area” has the meaning given by section 91(1) of the Listed Buildings Act;

“flooding operations” has the meaning given by section 61(1) of the Ancient Monuments and Archaeological Areas Act 1979 (c. 46);

“listed building” has the meaning given by section 1(5) of the Listed Buildings Act;

“permitted” means permitted by planning permission or development consent;

“petroleum products” has the meaning given by section 21 of the Energy Act 1976 (c. 76);

“scheduled monument” has the meaning given by section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979 (c. 46);

“tipping operations” has the meaning given by section 61(1) of that Act.

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**Commencement Information**

**II** S. 32 in force at 1.3.2010 by [S.I. 2010/101](#), [art. 3\(c\)](#) (with [art. 6](#))

**Changes to legislation:**

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

- s. 32 words substituted by [2023 c. 55 Sch. 12 para. 6\(a\)](#)

**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):

- Pt. 10A inserted by [2023 c. 55 Sch. 12 para. 1](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 37(3A) inserted by [2021 c. 30 Sch. 15 para. 7](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 103(1A) inserted by [2021 c. 30 Sch. 15 para. 2](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 104(3)-(3B) substituted for s. 104(3) by [2021 c. 30 Sch. 15 para. 3\(2\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 105(3)(4) inserted by [2021 c. 30 Sch. 15 para. 4\(1\)](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 120(2)(c) inserted by [2021 c. 30 Sch. 15 para. 8](#)
- s. 223(1)(za) inserted by [2023 c. 55 s. 139\(6\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- s. 232(5)(f) inserted by [2021 c. 30 Sch. 15 para. 9\(2\)](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)
- Sch. 2A inserted by [2021 c. 30 Sch. 15 para. 5](#)