



2011 CHAPTER 25

Part 5

Enforcement

Introductory

Expressions used in connection with enforcement

131.—(1) For the purposes of this Act—

- (a) carrying out development without the planning permission required; or
- (b) failing to comply with any condition or limitation subject to which planning permission has been granted,

constitutes a breach of planning control.

(2) For the purposes of this Act—

- (a) the issue of an enforcement notice; or
- (b) the service of a breach of condition notice,

constitutes taking enforcement action.

Commencement Information

II [S. 131](#) in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), [art. 2](#), [Sch. 1](#)

Time limits

132.—(1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining

Status: Point in time view as at 13/02/2015.

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Cross Heading: Introductory. (See end of Document for details)

or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of 5 years beginning with the date on which the operations were substantially completed.

(2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwelling-house, no enforcement action may be taken after the end of the period of 5 years beginning with the date of the breach.

(3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of 5 years beginning with the date of the breach.

(4) The preceding subsections do not prevent—

- (a) the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect; or
- (b) taking further enforcement action in respect of any breach of planning control if, during the period of 5 years ending with that action being taken, the council or the Department has taken or purported to take enforcement action in respect of that breach.

Commencement Information

I2 [S. 132](#) in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), [art. 2](#), [Sch. 1](#)

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Changes to legislation:

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