



2011 CHAPTER 25

Part 5

Enforcement

Enforcement notices

Effect of planning permission, etc., on enforcement or breach of condition notice

148.—(1) Where, after the service of—

- (a) a copy of an enforcement notice; or
- (b) a breach of condition notice,

planning permission is granted for any development carried out before the grant of that permission, the notice shall cease to have effect so far as inconsistent with that permission.

(2) Where after a breach of condition notice has been served any condition to which the notice relates is discharged, the notice shall cease to have effect so far as it requires any person to secure compliance with the condition in question.

(3) The fact that an enforcement notice or breach of condition notice has wholly or partly ceased to have effect by virtue of this section does not affect the liability of any person for an offence in respect of a previous failure to comply, or secure compliance, with the notice.

Modifications etc. (not altering text)

- C1 Pt. 5 applied with modification(s) (1.4.2015) by [The Planning \(Conservation Areas\) \(Demolition\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/107\)](#), regs. 1, **11**

Changes to legislation: There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 148. (See end of Document for details)

- C2** Pt. 5 (except ss. 157-163) applied with modification(s) (1.4.2015) by [The Planning General Regulations \(Northern Ireland\) 2015 \(S.R. 2015/39\)](#), regs. 1(1), **2** (with regs. 3-10)
- C3** S. 148 applied with modification(s) (1.4.2015) by [The Planning \(Hazardous Substances\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/61\)](#), regs. 1, 18, Sch. 3 Pts. 2, **3**
- C4** S. 148 applied with modification(s) (16.10.2015) by [The Planning \(Hazardous Substances\) \(No. 2\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/344\)](#), regs. 1, **22**, **Sch. 3 Pts. 2, 3**
- C5** Ss. 105-155: transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\)](#), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

Commencement Information

- I1** S. 148 in operation at 13.2.2015 for specified purposes by [S.R. 2015/49](#), art. 2, **Sch. 1**
- I2** S. 148 in operation at 1.4.2015 in so far as not already in operation by [S.R. 2015/49](#), art. 3, **Sch. 1** (with **Sch. 2**) (as amended (16.3.2016) by [S.R. 2016/159](#), art. 2)

Changes to legislation:

There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 148.