



Planning Act 2008

2008 CHAPTER 29

PART 9

CHANGES TO EXISTING PLANNING REGIMES

CHAPTER 2

OTHER CHANGES TO EXISTING PLANNING REGIMES

Appeals

197 Appeals: miscellaneous amendments

Schedule 11 (appeals: miscellaneous amendments) has effect.

Commencement Information

- 11** S. 197 in force at 6.4.2009 for E. by S.I. 2009/400, art. 5(d)
12 S. 197 in force at 30.4.2012 for W. by S.I. 2012/802, art. 2(b)

198 Appeals relating to old mining permissions

- (1) Schedule 6 to TCPA 1990 (determination of certain appeals by person appointed by Secretary of State) is amended as set out in subsections (2) and (3).
- (2) In paragraph 1—
 - (a) in sub-paragraph (1) after “208” insert “ of this Act, paragraph 5 of Schedule 2 to the Planning and Compensation Act 1991 ”, and
 - (b) in sub-paragraph (4) for “any instrument made under it” substitute “ any other Act or any instrument made under this Act or any other Act ”.
- (3) In paragraph 2—

Changes to legislation: *Planning Act 2008, Cross Heading: Appeals is up to date with all changes known to be in force on or before 13 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*

- (a) after sub-paragraph (1)(d) insert—
 - “(e) in relation to an appeal under paragraph 5 of Schedule 2 to the Planning and Compensation Act 1991, as the Secretary of State has under paragraph 6(1) and (3) of that Schedule.”, and
 - (b) in sub-paragraph (2) after “208(5)” insert “ of this Act and paragraph 6(2) of Schedule 2 to the Planning and Compensation Act 1991 ”.
- (4) In paragraph 5 of Schedule 2 to the Planning and Compensation Act 1991 (c. 34) (registration of old mining permissions: right of appeal) after sub-paragraph (8) insert—
- “(9) Schedule 6 to the principal Act (determination of appeals by persons appointed by Secretary of State) applies to appeals under this paragraph.”

Commencement Information

- I3** S. 198 in force at 6.4.2009 for E. by [S.I. 2009/400](#), [art. 5\(e\)](#)
- I4** [S. 198](#) in force at 28.11.2014 for W. by [S.I. 2014/2780](#), [art. 2](#)

Changes to legislation:

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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](#)