



# Planning Act 2008

## 2008 CHAPTER 29

### PART 9

#### CHANGES TO EXISTING PLANNING REGIMES

### CHAPTER 2

#### OTHER CHANGES TO EXISTING PLANNING REGIMES

#### *Use of land*

#### **194 Use of land: power to override easements and other rights**

<sup>F1</sup>(1) .....

- (2) The Welsh Ministers may by order amend Schedule 4 to the Welsh Development Agency Act 1975 (c. 70) for the purpose of authorising the use in accordance with planning permission of land acquired under section 21A of that Act, even if the use involves—
  - (a) interference with an interest or right to which paragraph 6 of that Schedule applies, or
  - (b) a breach of a restriction as to the user of land arising by virtue of a contract.
- (3) The power to make an order under subsection (2) is exercisable by statutory instrument.
- (4) The power includes—
  - (a) power to make different provision for different purposes (including different areas);
  - (b) power to make incidental, consequential, supplementary, transitional or transitory provision or savings.

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**Status:** Point in time view as at 08/09/2022.

**Changes to legislation:** Planning Act 2008, Cross Heading: Use of land is up to date with all changes known to be in force on or before 07 June 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)

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- (5) No order may be made under subsection (2) unless a draft of the instrument containing the order has been laid before, and approved by resolution of, the National Assembly for Wales.

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**Textual Amendments**

- F1** S. 194(1) omitted (13.7.2016) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 19 para. 14](#); [S.I. 2016/733](#), reg. 3(m)

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**Commencement Information**

- I1** S. 194 partly in force; s. 194(2)-(5) in force at 26.1.2009 see s. 241  
**I2** S. 194(1) in force at 6.4.2009 for E.W. by [S.I. 2009/400](#), [art. 3\(h\)](#)

**Status:**

Point in time view as at 08/09/2022.

**Changes to legislation:**

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