



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 7

#### COMPULSORY PURCHASE ETC

##### *Disputes*

#### **200    Objection to division of land: blight notices**

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) In section 153 (reference of objection to Upper Tribunal), after subsection (4) insert—

“(4A) Where the effect of a blight notice would be a compulsory purchase to which Part 1 of the Compulsory Purchase Act 1965 applies, the Upper Tribunal may uphold an objection on the grounds mentioned in section 151(4)(c) only if it is satisfied that the part of the hereditament or affected area proposed to be acquired in the counter-notice—

  - (a) in the case of a house, building or factory, can be taken without material detriment to the house, building or factory, or
  - (b) in the case of a park or garden belonging to a house, can be taken without seriously affecting the amenity or convenience of the house.”
- (3) In section 166 (saving for claimant's right to sell whole hereditament etc.)—
  - (a) in subsection (1) omit paragraph (b) (and the “or” before it);
  - (b) omit subsection (2).

#### **Commencement Information**

**II**    [S. 200](#) in force at 3.2.2017 by [S.I. 2017/75](#), [reg. 3\(h\)](#)

**Changes to legislation:**

Housing and Planning Act 2016, Section 200 is up to date with all changes known to be in force on or before 11 August 2023. 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.

[View outstanding changes](#)

**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):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)