



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART XI

VALIDITY OF PLANNING INSTRUMENTS AND
DECISIONS, AND PROCEEDINGS RELATING THERETO

176 Validity of development plans and of certain orders, decisions and directions

- (1) Except as provided by the following provisions of this Part of this Act, the validity of—
- (a) a development plan or an amendment of a development plan, whether before or after it has been approved or made, or
 - (b) an order under section one hundred and fifty-three of this Act, whether before or after the order has been made, or
 - (c) an order under section one hundred and sixty-eight of this Act, whether before or after the order has been made, or
 - (d) any such order as is mentioned in subsection (2) of this section, whether before or after it has been confirmed, or
 - (e) any such action on the part of the Minister as is mentioned in subsection (3) of this section,
- shall not be questioned in any legal proceedings whatsoever.
- (2) The orders referred to in paragraph (d) of the preceding subsection are orders of any of the following descriptions, that is to say—
- (a) any order under section twenty-seven of this Act or under the provisions of that section as applied by or under any other provision of this Act;
 - (b) any order under section twenty-eight of this Act;
 - (c) any tree preservation order ;
 - (d) any building preservation order;
 - (e) any order made in pursuance of subsection (4) of section thirty-four of this Act.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) The action referred to in paragraph (e) of subsection (1) of this section is action on the part of the Minister of any of the following descriptions, that is to say—
- (a) any decision of the Minister on an application for planning permission referred to him under section twenty-two of this Act;
 - (b) any decision of the Minister on an appeal under section twenty-three of this Act;
 - (c) any decision of the Minister to confirm a purchase notice;
 - (d) any decision of the Minister not to confirm a purchase notice, including any decision not to confirm a purchase notice in respect of part of the land to which it relates, and including any decision to grant any permission, or give any direction, in lieu of confirming a purchase notice, either wholly or in part;
 - (e) any decision of the Minister relating to an application for consent under a tree preservation order or building preservation order, or relating to an application for consent under any regulations made in accordance with section thirty-four of this Act, or relating to any certificate or direction under any such order or regulations, whether it is a decision of the Minister on appeal or a decision on an application referred to him for determination in the first instance;
 - (f) the giving by the Minister of any direction under section twenty-five of this Act.
- (4) Nothing in this section shall affect the exercise of any jurisdiction of any court in respect of any refusal or failure on the part of the Minister to take any such action as is mentioned in the last preceding subsection.