



Town and Country Planning Act 1990

1990 CHAPTER 8

PART XV **E+W**

MISCELLANEOUS AND GENERAL PROVISIONS

Rights of entry

324 Rights of entry. **E+W**

- (1) Any person duly authorised in writing by the Secretary of State or by a local planning authority may at any reasonable time enter any land for the purpose of surveying it in connection with—
- [^{F1}(a) the preparation, revision, adoption or approval of a local development document under Part 2 of the Planning and Compulsory Purchase Act 2004 or a local development plan under Part 6 of that Act;]
 - [^{F2}(aa) the preparation, making, modification or revocation of a neighbourhood development plan under Part 3 of that Act;]
 - (b) any application under Part III or sections ^{F3} . . . , 220 or 221 or under any order or regulations made under any of those provisions, for any permission, consent or determination to be given or made in connection with that land or any other land under that Part or any of those sections or under any such order or regulations;
 - [^{F4}(ba) any application made to the Welsh Ministers under section 62O;
 - (bb) any secondary consent in respect of which, by virtue of section 62F(2), a decision is to be made by the Welsh Ministers;]
 - (c) any proposal by the local planning authority or by the Secretary of State to make, issue or serve any order or notice under Part III (other than sections [^{F5}93H,] 94 and 96), ^{F6} . . . [^{F7}or Chapter 2 or 3 of Part VIII] or under any order or regulations made under any of those provisions.

[^{F8}(1A) For the purposes of subsection (1)(c) the reference to a proposal by the local planning authority to make any order under Part 3 includes a reference to a proposal submitted

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(or to be submitted) to the authority for the making by them of a neighbourhood development order.]

[^{F9}[^{F10}(1BA)] Any person duly authorised in writing by the Welsh Ministers or by a [^{F11}corporate joint committee] may at any reasonable time enter any land for the purpose of surveying it in connection with the preparation, revision, adoption or approval of a strategic development plan under Part 6 of the Planning and Compulsory Purchase Act 2004.]

^{F12}(2)

(3) Any person duly authorised in writing by the local planning authority may at any reasonable time enter any land for the purpose of exercising a power conferred on the authority by section 225 [^{F13}, 225A(1), 225C(10)(a) or 225F(6)(a)] if—

(a) ^{F14}

(b) it would be impossible to exercise the power without entering the land.

^{F15}(4)

(5) Any person who is an officer of the Valuation Office or is duly authorised in writing by a local planning authority may at any reasonable time enter any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation in respect of that land or any other land which is payable by the local planning authority under Part IV, section 186, [^{F16}Chapter 2 or 3 of Part VIII], section 250(1) or Part XI (other than section 279(2) or (3) or 280(1)(c)).

^{F17}(6)

(7) Any person duly authorised in writing by the Secretary of State or by a local planning authority may at any reasonable time enter any land in respect of which an order or notice has been made or served as mentioned in subsection (1)(c) for the purpose of ascertaining whether the order or notice has been complied with.

(8) Subject to section 325, any power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals in it.

(9) In subsections (1)(c) and (7) references to a local planning authority include, in relation to a building situated in Greater London, a reference to the Historic Buildings and Monuments Commission for England.

Textual Amendments

F1 S. 324(1)(a) substituted (28.9.2004 (E.), 15.10.2005 (W.)) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 118, 121, [Sch. 6 para. 13](#) (with s. 111); S.I. 2004/2202, [art. 2](#) (subject to [art. 4](#)); S.I. 2005/2847, [art. 2](#) (subject to [art. 3](#))

F2 S. 324(1)(aa) inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), s. 240(2)(5)(j), [Sch. 12 para. 21\(2\)](#); S.I. 2012/57, art. 4(1)(h) (with arts. 6, 7, 9-11)

F3 Words in s. 324(1)(b) repealed (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 23(8)(a), 84(6), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 2](#) (subject to [art. 4](#))

F4 S. 324(1)(ba)(bb) inserted (6.9.2015 for specified purposes, 1.3.2016 for specified purposes) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 4 para. 21](#); S.I. 2016/52, art. 3(e)

F5 Word in s. 324(1)(c) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(3), [Sch. 11 para. 12](#) (with s. 247)

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- F6** Words in s. 324(1)(c) repealed (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 11(2), 84(6), **Sch. 19 Pt. I** (with s. 84(5)); S.I. 1991/2905, **art. 3**, (subject to art. 5)
- F7** Words in s. 324(1)(c) expressed to be inserted (2.1.1992) for "or Part VIII" by Planning and Compensation Act 1991 (c. 34, SIF 123:1), **s. 23(8)(b)** (with s. 84(5)); S.I. 1991/2905, **art. 3** (subject to art. 5)
- F8** S. 324(1A) inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes) by Localism Act 2011 (c. 20), s. 240(2)(5)(j), **Sch. 12 para. 21(3)**; S.I. 2012/57, art. 4(1)(h) (with arts. 6, 7, 9-11)
- F9** S. 324(1B) inserted (6.9.2015 for specified purposes, 7.1.2021 in so far as not already in force) by Planning (Wales) Act 2015 (anaw 4), s. 58(2)(b)(4)(b), **Sch. 2 para. 12**; S.I. 2021/7, reg. 2(c)
- F10** S. 324(1B) renumbered as s. 324(1BA) (21.1.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(1)(e), **Sch. 9 para. 28(a)**
- F11** Words in s. 324(1BA) substituted (21.1.2021) by Local Government and Elections (Wales) Act 2021 (asc 1), s. 175(1)(e), **Sch. 9 para. 28(b)**
- F12** S. 324(2) repealed (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 23(8)(c), 84(6), **Sch. 19 Pt. I** (with s. 84(5)); S.I. 1991/2905, art. 3, **Sch. 2** (subject to art. 5)
- F13** Words in s. 324(3) inserted (6.4.2012) by Localism Act 2011 (c. 20), **ss. 127(3), 240(2)** (with s. 144); S.I. 2012/628, art. 8(b) (with arts. 9, 12, 13, 16, 18-20) (as amended (3.8.2012) by S.I. 2012/2029, arts. 2, 4)
- F14** S. 324(3)(a) repealed (6.4.2006 for E. and 18.1.2008 for W.) by Clean Neighbourhoods and Environment Act 2005 (c. 16), ss. 34(6), 107, 108, **Sch. 5 Pt. 3**; S.I. 2006/795, **art. 2(3)**, Sch. 2; S.I. 2006/2797, **art. 2(g)**; S. I. 2007/3371, **art. 2(b)**
- F15** S. 324(4) repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31, 84(6), Sch. 6 para. 34, **Sch. 19 Pt. II** (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)
- F16** Words in s. 324(5) substituted (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), **s. 23(8)(d)**, (with s. 84(5))
- F17** S. 324(6) omitted (13.7.2016) by virtue of Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 14 para. 19**; S.I. 2016/733, reg. 3(h) (with reg. 6)

Modifications etc. (not altering text)

- C1** S. 324: power to apply conferred (10.11.1993) by 1993 c. 28, **s. 171(4)(a)**; S.I. 1993/2762, **art. 3**
- C2** S. 324(1)(a) applied (with modifications) (1.4.1996) by 1994 c. 19, s. 66(7), **Sch. 17 Pt. II para. 17(2)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 6(3), **Sch. 5**
- C3** S. 324(6) extended (19.9.1995) by 1995 c. 25, ss. 65(7), 125(2), **Sch. 8 para. 2(3)(c)** (with ss. 7(6), 115, 117, Sch. 8 para. 7)
- C4** S. 324(8) applied (with modifications) (25.7.2003 and 29.12.2003 in accordance with the commencing S.I.s) by Communications Act 2003 (c. 21), ss. 118, 411, **Sch. 4 para. 6(3)(4)** (with transitional provisions in Sch. 18); S.I. 2003/1900, arts. 1(2), **2(1)**, Sch. 1 (with transitional provisions in arts. 3-6); S.I. 2003/3142, arts. 1(2), **3(2)** (with art. 11)

325 Supplementary provisions as to rights of entry. **E+W**

- (1) A person authorised under section 324 to enter any land—
- shall, if so required, produce evidence of his authority [^{F18}and state the purpose of his entry] before so entering, and
 - shall not demand admission as of right to any land which is occupied unless 24 hours' notice of the intended entry has been given to the occupier.
- (2) Any person who wilfully obstructs a person acting in the exercise of his powers under section 324 shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F19}level 3] on the standard scale.

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- (3) If any person who, in compliance with the provisions of section 324, is admitted into a factory, workshop or workplace discloses to any person any information obtained by him in it as to any manufacturing process or trade secret, he shall be guilty of an offence.
- (4) Subsection (3) does not apply if the disclosure is made by a person in the course of performing his duty in connection with the purpose for which he was authorised to enter the [F20]land].
- (5) A person who is guilty of an offence under subsection (3) shall be liable on summary conviction to a fine not exceeding the statutory maximum or on conviction on indictment to imprisonment for a term not exceeding two years or a fine or both.
- (6) Where any [F21]damage is caused to land or chattels]—
- (a) in the exercise of a right of entry conferred under section 324, or
 - (b) in the making of any survey for the purpose of which any such right of entry has been so conferred,
- compensation [F21]may be recovered by any person suffering the damage] from the Secretary of State or authority on whose behalf the entry was effected.
- (7) The provisions of section 118 shall apply in relation to compensation under subsection (6) as they apply in relation to compensation under Part IV.
- (8) No person shall carry out under section 324 any works authorised by virtue of subsection (8) of that section unless notice of his intention to do so was included in the notice required by subsection (1).
- (9) The authority of the appropriate Minister shall be required for the carrying out under that section of works so authorised if the land in question is held by statutory undertakers, and they object to the proposed works on the ground that the execution of the works would be seriously detrimental to the carrying on of their undertaking.

Textual Amendments

- F18** Words in s. 325(1)(a) inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 32, Sch. 7 para. 50\(2\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)
- F19** Words in s. 325(2) substituted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 32, Sch. 7 para. 50\(3\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch.1](#) (subject to art. 5)
- F20** Word in s. 325(4) substituted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 32, Sch. 7 para. 50\(4\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch.1](#) (subject to art. 5)
- F21** Words in s. 325(6) substituted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 11\(3\)](#) (with s. 84(5)); S.I. 1991/2905, [art.3](#) (subject to art. 5)

Modifications etc. (not altering text)

- C5** S. 325 applied (with modifications) by [Planning \(Listed Buildings and Conservation Areas\) Act 1990 \(c. 9, SIF 123:1\), s. 88\(7\)](#); applied (with modifications) (11.3.1992 so far as to confer on the Secretary of State a power to impose on him a duty to make regulations, or make provision with respect to the exercise of any such power or duty, 1.6.1992 so far as not already in force) by [Planning \(Hazardous Substances\) Act 1990 \(c. 10, SIF 123:1\), s. 36\(6\)](#); S.I. 1992/725, [arts. 2, 3](#)
- C6** S. 325: power to apply conferred (10.11.1993) by [1993 c. 28, s. 171\(4\)\(a\)](#); S.I. 1993/2762, [art. 3](#)
- C7** S. 325(1)-(5)(8)(9) applied (with modifications) (25.7.2003 and 29.12.2003 in accordance with the commencing S.I.s) by [2003 c. 21, ss. 118, 411, Sch. 4 para. 6\(3\)\(4\)](#) (with transitional provisions)

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in Sch. 18); S.I. 2003/1900, arts. 1(2), **2(1)**, Sch. 1 (with transitional provisions in arts. 3-6); S.I. 2003/3142, arts. 1(2), **3(2)** (with art. 11)
C8 S. 325(9) applied (10.11.1993) by 1993 c. 28, s. **163(11)**; S.I. 1993/2762, **art. 3**

[^{F22}**325A**Rights of entry: Crown land **E+W**

- (1) Section 324 applies to Crown land subject to the following modifications.
- (2) A person must not enter Crown land unless he has the relevant permission.
- (3) Relevant permission is the permission of—
 - (a) a person appearing to the person seeking entry to the land to be entitled to give it, or
 - (b) the appropriate authority.
- (4) In subsection (8) the words “Subject to section 325” must be ignored.
- (5) Section 325 does not apply to anything done by virtue of this section.
- (6) “Appropriate authority” must be construed in accordance with section 293(2).]

Textual Amendments

F22 S. 325A inserted (7.6.2006) by Planning and Compulsory Purchase Act 2004 (c. 5), ss. 79, 121, **Sch. 3 para. 13** (with s. 111); S.I. 2006/1281, **art. 2**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 79\(2\)](#)
- Act applied by [2023 asc 3 s. 83\(4\)](#)
- Act excluded by [2023 asc 3 s. 140\(4\)\(b\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 165B inserted by [2024 asc 3 s. 99\(5\)](#)
- s. 7(3) inserted by [2023 c. 55 Sch. 17 para. 2\(2\)](#)
- s. 7A(6) inserted by [2023 c. 55 Sch. 17 para. 2\(4\)](#)
- s. 7ZA inserted by [2023 c. 55 Sch. 17 para. 2\(3\)](#)
- s. 58B and cross-heading inserted by [2023 c. 55 s. 102\(1\)](#)
- s. 59A(3)(ba) inserted by [2023 c. 55 Sch. 8 para. 4\(b\)](#)
- s. 62B(5)(ca) inserted by [2023 c. 55 Sch. 17 para. 2\(5\)](#)
- s. 70(2)(azb) inserted by [2023 c. 55 Sch. 6 para. 3\(a\)](#)
- s. 70(3)(ca) inserted in earlier affecting provision 2016 c. 22, s. 5(8) by [2023 asc 3 Sch. 13 para. 194](#)
- s. 70(3A) inserted by [2017 c. 20 Sch. 3 para. 2](#)
- s. 70A(5A) inserted by [2023 c. 55 Sch. 6 para. 4\(a\)](#)
- s. 70A(10)(11) inserted by [2023 c. 55 s. 110\(4\)\(b\)](#)
- s. 70B(5A)(5B) inserted by [2023 c. 55 s. 110\(5\)\(b\)](#)
- s. 73B inserted by [2023 c. 55 s. 110\(2\)](#)
- s. 74(1C)(aa) inserted by [2023 c. 55 Sch. 6 para. 5\(b\)](#)
- s. 75ZA and cross-heading inserted by [2016 c. 22 s. 155](#)
- s. 83(1A)-(1C) amendment to earlier affecting provision 2004 c. 5, s. 45(2) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(1A)-(1C) inserted by [2004 c. 5 s. 45\(2\)](#)
- s. 83(2)-(2B) amendment to earlier affecting provision 2004 c. 5, s. 45(3) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(2)-(2B) substituted for s. 83(2) by [2004 c. 5 s. 45\(3\)](#)
- s. 83(4) inserted by [2004 c. 5 s. 45\(4\)](#)
- s. 85(1A) inserted by [2004 c. 5 s. 45\(6\)](#)
- s. 93(5)(6) inserted by [2017 c. 20 Sch. 3 para. 6](#)
- s. 94(1)(e) and word inserted by [2023 c. 55 Sch. 9 para. 1\(15\)](#)
- s. 102(1A) inserted by [2023 c. 55 Sch. 6 para. 9\(b\)](#)
- s. 106(1B) inserted by [2024 asc 3 s. 98\(2\)\(a\)](#)
- s. 106(9)(ab) inserted by [2024 asc 3 s. 98\(2\)\(b\)](#)
- s. 106(15) inserted by [2024 asc 3 s. 98\(2\)\(c\)](#)
- s. 106A(9A) inserted by [2023 c. 55 s. 125](#)
- s. 106A(11)(zaa) inserted by [2024 asc 3 s. 98\(3\)](#)
- s. 106D inserted by [2024 asc 3 s. 98\(5\)](#)
- s. 106ZA inserted by [2016 c. 22 s. 158\(1\)](#)
- s. 106ZB inserted by [2016 c. 22 s. 159\(1\)](#)
- s. 106ZB(2)(a) omitted by [2023 c. 55 s. 130\(3\)\(b\)](#)
- s. 108(1A)(1B) inserted by [2015 c. 7 Sch. 4 para. 15\(4\)](#)
- s. 108(3A) inserted by [2004 c. 5 Sch. 6 para. 6](#)
- s. 108(3B)(ba) inserted by [2015 c. 7 Sch. 4 para. 15\(6\)](#)
- s. 108(3B)(ba) word omitted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(i\)](#)
- s. 108(3B)(bb) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(ii\)](#)
- s. 108(3DA) inserted by [2015 c. 7 Sch. 4 para. 15\(7\)](#)

- s. 108(3DB) inserted by 2023 c. 55 Sch. 9 para. 1(16)(e)
- s. 141(6) inserted by 2017 c. 20 Sch. 3 para. 7
- s. 151(7B) inserted by 2024 asc 3 s. 99(4)
- s. 169(1)(a) words renumbered as s. 169(1)(a) by 2017 c. 20 s. 26(5)(a)
- s. 169(1)(b) inserted by 2017 c. 20 s. 26(5)(b)
- s. 169(7A)(7B) inserted by 2024 asc 3 s. 99(6)(a)
- s. 170(8D)-(8F) inserted by 2024 asc 3 s. 99(7)
- s. 170(8BA) inserted by 2017 c. 20 s. 26(6)
- s. 174(2AA)(b) words substituted by 2023 c. 55 s. 113(6)
- s. 208(5A) inserted by 2008 c. 29 Sch. 10 para. 9(2)
- s. 303(1ZZA) inserted by 2023 asc 3 Sch. 13 para. 87
- s. 303(10A) inserted by 2015 c. 7 Sch. 4 para. 19(3)
- s. 303(12) inserted by 2015 c. 7 Sch. 4 para. 19(4)
- s. 303A(1A)(za) inserted by 2023 c. 55 Sch. 8 para. 7(2)(a)
- s. 303A(9B) inserted by 2023 c. 55 Sch. 8 para. 7(4)
- s. 303A(10)(za) inserted by 2023 c. 55 Sch. 8 para. 7(5)
- s. 303A(12) inserted by 2023 c. 55 Sch. 8 para. 7(6)
- s. 303ZB inserted by 2023 c. 55 s. 134
- s. 314A inserted by 2023 asc 3 Sch. 13 para. 90
- s. 324(1A)(a) words in s. 324(1A) renumbered as s. 324(1A)(a) by 2023 c. 55 Sch. 9 para. 1(20)(a)
- s. 324(1A)(b) and word inserted by 2023 c. 55 Sch. 9 para. 1(20)(b)
- s. 333(3ZZAA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(b)
- s. 333(3ZB) inserted by 2016 c. 22 s. 159(2)
- s. 333(3ZZA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(a)
- Sch. 1 para. 5(4) inserted by 2023 c. 55 Sch. 17 para. 2(7)(c)
- Sch. 1 para. 7(10)(10A) substituted for Sch. 1 para. 7(10) by 2023 c. 55 Sch. 8 para. 11(2)
- Sch. 4B para. 11(3)-(5) inserted by 2017 c. 20 s. 7
- Sch. 4B para. 8(2)(fa) inserted by 2023 c. 55 s. 99(1)(b)
- Sch. 4B para. 8(2)(ca) inserted by 2023 c. 55 s. 102(2)(a)(ii)
- Sch. 4B para. 8(4A)(4B) inserted by 2023 c. 55 s. 102(2)(b)
- Sch. 4B para. 5(5)(za) inserted by 2023 c. 55 Sch. 6 para. 12(a)
- Sch. 4B para. 8(2)(da) inserted by 2023 c. 55 Sch. 6 para. 12(b)
- Sch. 4B para. 8(2)(ea) substituted for Sch. 4B para. 8(2)(e) by 2023 c. 55 s. 99(1)(a)
- Sch. 7 para. 12(1)-(1C) amendment to earlier affecting provision 2004 c. 5 s. 45(9) by 2011 c. 20 Sch. 8 para. 14(7)
- Sch. 7 para. 12(1)-(1C) substituted for Sch. 7 para. 12(1) by 2004 c. 5 s. 45(9)
- Sch. 9 para. 1(1A) inserted by 2023 c. 55 Sch. 6 para. 13(b)
- Sch. 9A inserted by 2016 c. 22 Sch. 13
- Sch. 13 para. 24ZA inserted by 2024 asc 3 s. 99(2)(a)
- Sch. 13 para. 26 and cross-heading inserted by 2024 asc 3 s. 99(2)(b)
- Sch. 13 para. 24A inserted by 2017 c. 20 s. 26(7)