



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART XII

#### VALIDITY

#### **284 Validity of development plans and certain orders, decisions and directions.**

- (1) Except in so far as may be provided by this Part, the validity of—
- (a) <sup>F1</sup> .....
  - (b) a simplified planning zone scheme or an alteration of such a scheme, whether before or after the adoption or approval of the scheme or alteration; or
  - (c) an order under any provision of Part X except section 251(1), whether before or after the order has been made; or
  - (d) an order under section 277, whether before or after the order has been made; or
  - (e) any such order as is mentioned in subsection (2), whether before or after it has been confirmed; or
  - (f) any such action on the part of the Secretary of State as is mentioned in subsection (3),
- shall not be questioned in any legal proceedings whatsoever.
- (2) The orders referred to in subsection (1)(e) are—
- (a) any order under section 97 or under the provisions of that section as applied by or under any other provision of this Act;
  - (b) any order under section 102;
  - (c) any tree preservation order;
  - (d) any order made in pursuance of section 221(5);
  - (e) any order under paragraph 1, 3, 5 or 6 of Schedule 9.
- (3) The action referred to in subsection (1)(f) is action on the part of the Secretary of State of any of the following descriptions—
- (a) any decision on an application for planning permission referred to him under section 77;

*Status: Point in time view as at 01/11/2007. This version of this provision has been superseded.*

*Changes to legislation: Town and Country Planning Act 1990, Section 284 is up to date with all changes known to be in force on or before 26 July 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)*

- (b) any decision on an appeal under section 78;
  - <sup>F2</sup>(c) . . . . .
  - (d) any decision to confirm a completion notice under section 95;
  - (e) any decision to grant planning permission under paragraph (a) of section 177(1) or to discharge a condition or limitation under paragraph (b) of that section;
  - (f) any decision to confirm or not to confirm a purchase notice including—
    - (i) any decision not to confirm such a notice in respect of part of the land to which it relates, or
    - (ii) any decision to grant any permission, or give any direction, instead of confirming such a notice, either wholly or in part;
  - (g) any decision <sup>F3</sup> . . . on an appeal under section 195(1);
  - (h) any decision relating—
    - (i) to an application for consent under a tree preservation order,
    - (ii) to an application for consent under any regulations made in accordance with section 220 or 221, or
    - (iii) to any certificate or direction under any such order or regulations, whether it is a decision on appeal or a decision on an application referred to the Secretary of State for determination in the first instance.
  - <sup>F4</sup>(i) any decision on an application for planning permission under section 293A.]
- (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 Secretary of State to take any such action as is mentioned in subsection (3).

#### Textual Amendments

- F1** S. 284(1)(a) repealed (28.9.2004 (E.), 15.10.2005 (W.)) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 118, 120, 121, [Sch. 6 para. 8](#), [Sch. 9](#) (with s. 111); S.I. 2004/2202, [art. 2](#), [Sch. 1](#) (subject to transitional provisions and savings in [art. 4](#)); S.I. 2005/2847, [art. 2](#), [Sch. 1](#) (subject to transitional provisions and savings in [art. 3](#))
- F2** S. 284(3)(c) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, [84\(6\)](#), [Sch. 6 para. 24](#), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))
- F3** Words in s. 284(3)(g) repealed (27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, [84\(6\)](#), [Sch. 7 para. 41](#), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1992/1630, [art. 2](#), [Schs. 1, 2](#) (with [art. 3\(1\)](#))
- F4** S. 284(3)(i) inserted (6.8.2004 for certain purposes, 7.6.2006 otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [ss. 82\(2\)](#), 121 (with s. 111); S.I. 2004/ 2097, {[art. 2](#)}; S.I. 2006/1281, [art. 2](#)

#### Modifications etc. (not altering text)

- C1** S. 284 extended (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 22, [Sch. 2 para. 9](#) (3) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))
- Ss. 284-288 modified (1.11.1995) by 1995 c. 25, s. 96, [Sch. 13 para. 16\(4\)](#) (with ss. 7(6), 115, 117); S.I. 1995/2765, [art. 2](#)
- Ss. 284-288 modified (1.11.1995) by 1995 c. 25, s. 96, [Sch. 14 para. 9\(4\)](#) (with ss. 7(6), 115, 117); S.I. 1995/2765, [art. 2](#)

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