



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART III

#### CONTROL OVER DEVELOPMENT

##### *Determination of applications*

#### **71 Consultations in connection with determinations under s. 70.**

- [<sup>F1</sup>(1) A development order may provide that a local planning authority shall not determine an application for planning permission before the end of such period as may be prescribed.
- (2) A development order may require a local planning authority—
- (a) to take into account in determining such an application such representations, made within such period, as may be prescribed; and
  - (b) to give to any person whose representations have been taken into account such notice as may be prescribed of their decision.

[ In subsections (1) and (2) references to an application for planning permission include <sup>F2</sup>(2ZA) references to an application for approval under section 61L(2).]

- (2A) A development order making any provision by virtue of this section may make different provision for different cases or different classes of development.]
- (3) Before a local planning authority grant planning permission for the use of land as a caravan site, they shall, unless they are also the authority with power to issue a site licence for that land, consult the local authority with that power.

[<sup>F3</sup>(3A) Subsection (3) does not apply in relation to planning permission granted by a neighbourhood development order.]

- (4) In this section—

[<sup>F4</sup> “ prescribed ” means prescribed by a development order ]

*Status: Point in time view as at 26/09/2012. This version of this provision has been superseded.*

*Changes to legislation: Town and Country Planning Act 1990, Section 71 is up to date with all changes known to be in force on or before 27 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)*

“site licence” means a licence under Part 1 of the <sup>M1</sup>Caravan Sites and Control of Development Act 1960 authorising the use of land as a caravan site.

#### Textual Amendments

- F1** S. 71(1)(2)(2A) substituted for s. 71(1)(2) (25.11.1991 for certain purposes and otherwise 17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [s. 16\(2\)](#) (with [s. 84\(5\)](#)); [S.I. 1991/2728](#), [art. 2](#); [S.I. 1992/1491](#), [art. 2](#)
- F2** [S. 71\(2ZA\)](#) inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), [s. 240\(5\)\(j\)](#), [Sch. 12 para. 8\(2\)](#); [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7, 9-11](#)); [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16, 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#)); [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))
- F3** [S. 71\(3A\)](#) inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes, 6.4.2012 for specified purposes, 3.8.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), [s. 240\(5\)\(j\)](#), [Sch. 12 para. 8\(3\)](#); [S.I. 2012/57](#), [art. 4\(1\)\(h\)](#) (with [arts. 6, 7, 9-11](#)); [S.I. 2012/628](#), [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16, 18-20](#)) (as amended (3.8.2012) by [S.I. 2012/2029](#), [arts. 2, 4](#)); [S.I. 2012/2029](#), [arts. 2, 3\(a\)](#) (with [art. 5](#)) (as amended (6.4.2013) by [S.I. 2013/797](#), [art. 4](#))
- F4** S. 71(4) definition of "prescribed" substituted (17.7.1992) for definitions of “agricultural holding” and “owner” by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [s. 32](#), [Sch. 7 para.15](#) (with [s. 84\(5\)](#)); [S.I. 1992/1491](#), [art. 2](#)

#### Marginal Citations

- M1** 1960 c. 62.

**Status:**

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**Changes to legislation:**

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