

*Status: Point in time view as at 06/04/2009.*

*Changes to legislation: Planning Act 2008, Paragraph 1 is up to date with all changes known to be in force on or before 18 August 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)*

## SCHEDULES

### SCHEDULE 9

#### USE OF LAND: POWER TO OVERRIDE EASEMENTS AND OTHER RIGHTS

##### *Local Government, Planning and Land Act 1980 (c. 65)*

- 1 (1) Paragraph 6 of Schedule 28 to the Local Government, Planning and Land Act 1980 (urban development corporations: power to override easements) is amended as follows.
- (2) After sub-paragraph (1) insert—
- “(1A) The use of any land in England which has been vested in or acquired by an urban development corporation or local highway authority for the purposes of this Part of this Act, whether the use is by the corporation or authority or by any other person, is authorised by virtue of this paragraph if it is in accordance with planning permission even if the use involves—
- (a) interference with an interest or right to which this paragraph applies, or
- (b) a breach of a restriction as to the user of land arising by virtue of a contract.”
- (3) In sub-paragraph (2) after “sub-paragraph (1)” insert “ or (1A) ”.
- (4) In sub-paragraph (4)—
- (a) after “sub-paragraph (1)” insert “ or (1A) ”, and
- (b) after “works on” insert “, or use of, ”.
- (5) In sub-paragraph (7) after “sub-paragraph (1)” insert “ or (1A) ”.

#### **Commencement Information**

**II** Sch. 9 para. 1 in force at 6.4.2009 by S.I. 2009/400, art. 3(h)

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