



Planning Act 2008

2008 CHAPTER 29

PART 6

DECIDING APPLICATIONS FOR ORDERS GRANTING DEVELOPMENT CONSENT

CHAPTER 5

DECISIONS ON APPLICATIONS

105 Decisions of Secretary of State

- (1) This section applies in relation to an application for an order granting development consent if the decision-maker is the Secretary of State.
- (2) In deciding the application the Secretary of State must have regard to—
 - (a) any local impact report (within the meaning given by section 60(3)) submitted to the Commission before the deadline specified in a notice under section 60(2),
 - (b) any matters prescribed in relation to development of the description to which the application relates, and
 - (c) any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision.

Commencement Information

- I1** S. 105 partly in force; s. 105 in force for certain purposes at Royal Assent see s. 241
- I2** S. 105 in force at 1.3.2010 by [S.I. 2010/101](#), [art. 3\(d\)](#) (with [art. 6](#))

Status:

Point in time view as at 01/03/2010. This version of this provision has been superseded.

Changes to legislation:

Planning Act 2008, Section 105 is up to date with all changes known to be in force on or before 07 September 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.