Status: Point in time view as at 01/03/2010.
Changes to legislation: Planning Act 2008, Section 173 is up to date with all changes known to be in force
on or before 07 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)

Planning Act 2008

2008 CHAPTER 29

PART 8

ENFORCEMENT

The relevant local planning authority

173   The relevant local planning authority

(1) This section applies for the purposes of this Part.

(2) The relevant local planning authority in relation to any land is the local planning authority for the area in which the land is situated.

This is subject to subsections (3) to (5).

(3) Subsections (4) and (5) apply if the land is in an area for which there is both a district planning authority and a county planning authority.

(4) If any of the relevant development is the construction or alteration of a hazardous waste facility within section 14(1)(p), the relevant local planning authority is the county planning authority.

(5) In any other case, the relevant local planning authority is the district planning authority.

(6) "The relevant development" is—
    (a)   if the relevant offence is an offence under section 160 or 161(1)(a), the development referred to in section 160(1) or 161(1)(a);
    (b)   if the relevant offence is an offence under section 161(1)(b), the development to which the order granting development consent mentioned in section 161(1)(b) relates.

(7) "The relevant offence" is the offence by reference to which a provision of this Part confers a function on a local planning authority.

Commencement Information

I1   S. 173 in force at 1.3.2010 by S.I. 2010/101, **art. 3(j)** (with art. 6)

Status:
Point in time view as at 01/03/2010.

Changes to legislation:
Planning Act 2008, Section 173 is up to date with all changes known to be in force on or before 07 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.