



Planning Act 2008

2008 CHAPTER 29

PART 5

APPLICATIONS FOR ORDERS GRANTING DEVELOPMENT CONSENT

CHAPTER 3

ASSISTANCE FOR APPLICANTS AND OTHERS

52 Obtaining information about interests in land

- (1) Where a person is applying, or proposes to apply, for an order granting development consent, subsection (2) applies for the purpose of enabling the person (“the applicant”) to comply with provisions of, or made under, Chapter 2 of this Part or Chapter 1 of Part 6.
- (2) The Commission may authorise the applicant to serve a notice on a person mentioned in subsection (3) requiring the person (“the recipient”) to give to the applicant in writing the name and address of any person the recipient believes is one or more of the following—
 - (a) an owner, lessee, tenant (whatever the tenancy period) or occupier of the land;
 - (b) a person interested in the land;
 - (c) a person having power—
 - (i) to sell and convey the land, or
 - (ii) to release the land.
- (3) The persons are—
 - (a) an occupier of the land;
 - (b) a person who has an interest in the land as freeholder, mortgagee or lessee;
 - (c) a person who directly or indirectly receives rent for the land;

Status: Point in time view as at 01/10/2009. This version of this provision has been superseded.

Changes to legislation: Planning Act 2008, Section 52 is up to date with all changes known to be in force on or before 15 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)

- (d) a person who, in pursuance of an agreement between that person and a person interested in the land, is authorised to manage the land or to arrange for the letting of it.
- (4) A notice under subsection (2) must—
- (a) be in writing,
 - (b) state that the Commission has authorised the applicant to serve the notice,
 - (c) specify or describe the land to which the application, or proposed application, relates,
 - (d) specify the deadline by which the recipient must give the required information to the applicant, and
 - (e) draw attention to the provisions in subsections (6) to (9).
- (5) A deadline specified under subsection (4)(d) in a notice must not be earlier than the end of the 14 days beginning with the day after the day on which the notice is served on the recipient of the notice.
- (6) A person commits an offence if the person fails without reasonable excuse to comply with a notice under subsection (2) served on the person.
- (7) A person commits an offence if, in response to a notice under subsection (2) served on the person—
- (a) the person gives information which is false in a material particular, and
 - (b) when the person does so, the person knows or ought reasonably to know that the information is false.
- (8) If an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a director, manager, secretary or other similar officer of the body,
 - (b) a person purporting to act in any such capacity, or
 - (c) in a case where the affairs of the body are managed by its members, a member of the body,
- that person, as well as the body, is guilty of that offence and liable to be proceeded against accordingly.
- (9) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (10) In subsections (2) and (3) “the land” means—
- (a) the land to which the application, or proposed application, relates, or
 - (b) any part of that land.
- (11) Any other expression that appears in either of paragraphs (b) and (c) of subsection (2) and also in section 5(1) of the Compulsory Purchase Act 1965 (c. 56) has in those paragraphs the meaning that it has in section 5(1) of that Act.

Commencement Information

II S. 52 in force at 1.10.2009 by [S.I. 2009/2260](#), [art. 2\(b\)](#)

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