



Planning Act 2008

2008 CHAPTER 29

PART 6

DECIDING APPLICATIONS FOR ORDERS GRANTING DEVELOPMENT CONSENT

CHAPTER 4

EXAMINATION OF APPLICATIONS UNDER CHAPTER 2 OR 3

98 Timetable for examining, and reporting on, application

- (1) The Examining authority is under a duty to complete the Examining authority's examination of the application by the end of the period of 6 months beginning with the day after the start day.
 - (2) The start day is the day on which the meeting required by section 88 is held or, if that meeting is held on two or more days, the later or latest of those days.
 - (3) [^{F1}The Examining authority is under a duty to make its report under section 74(2)(b) or 83(1)(b)] by the end of the period of 3 months [^{F2}beginning with—
 - (a) the deadline for completion of its examination of the application, or
 - (b) (if earlier) the end of the day on which it completes the examination.]
 - (4) The [^{F3}Secretary of State] may set a date for a deadline under this section that is later than the date for the time being set.
- [^{F4}(4A) The Secretary of State may set a date for a deadline under subsection (1) that is earlier than the date for the time being set.]
- (5) The power under subsection (4) may be exercised—
 - (a) more than once in relation to the same deadline;
 - (b) after the date for the time being set for the deadline.

Status: Point in time view as at 31/01/2024.

Changes to legislation: Planning Act 2008, Section 98 is up to date with all changes known to be in force on or before 20 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)

[^{F5}(6) Subsections (7) and (8) apply where the power under subsection (4) [^{F6}or (4A)] is exercised.

(7) The Secretary of State must—

- (a) notify each interested party of the new deadline, and
- (b) publicise the new deadline in such manner as the Secretary of State thinks appropriate.

(8) The Secretary of State exercising the power must make a statement, to the House of Parliament of which that Secretary of State is a member, announcing the new deadline.

(9) A statement under subsection (8) may be written or oral.]

Textual Amendments

- F1** Words in s. 98(3) substituted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 44\(2\)](#); [S.I. 2012/628](#), art. 7(a)
- F2** Words in s. 98(3) substituted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), [ss. 139\(2\)](#), 240(2) (with s. 144); [S.I. 2012/628](#), art. 7(a)
- F3** Words in s. 98(4) substituted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 44\(3\)](#); [S.I. 2012/628](#), art. 7(a)
- F4** [S. 98\(4A\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 127\(2\)](#), 255(3) (a) (with s. 247)
- F5** [S. 98\(6\)-\(9\)](#) substituted for [s. 98\(6\)](#) (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 13 para. 44\(4\)](#); [S.I. 2012/628](#), art. 7(a)
- F6** Words in [s. 98\(6\)](#) inserted (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 127\(3\)](#), 255(3)(a) (with s. 247)

Commencement Information

- I1** [S. 98](#) in force at 1.3.2010 by [S.I. 2010/101](#), [art. 3\(d\)](#) (with art. 6)

Status:

Point in time view as at 31/01/2024.

Changes to legislation:

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