

---

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 108 of the Town and Country Planning Act 1990 provides for the payment of compensation in certain cases where planning permission for development granted by a development order or a local development order is withdrawn and where on an application for planning permission for that development, the application is refused or permission is granted subject to conditions.

Section 108(2A) and (3A) to (3D) (inserted by section 189 of the Planning Act 2008) limits the circumstances in which compensation is payable. These Regulations prescribe types of development for the purposes of section 108(2A) and (3C) (regulation 2), prescribe the manner in which planning permission is to be withdrawn (regulation 3) and prescribe the manner, and maximum period, in which notice of withdrawal, revocation, amendment or directions is to be given (regulations 4 and 5). The prescribed development now includes changes in use of houses in multiple occupation to dwellinghouses and of dwellinghouses to houses in multiple occupation.

These Regulations replace the Town and Country Planning (Compensation) (No. 2) (England) Regulations 2010 ([S.I. 2010/1220](#)) which are revoked.

An impact assessment has been prepared in relation to these Regulations. It has been placed in the library of each House of Parliament and copies may be obtained from the Planning Directorate, the Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU or <http://www.communities.gov.uk>.