



# Planning and Compulsory Purchase Act 2004

## 2004 CHAPTER 5

### PART 5

#### CORRECTION OF ERRORS

#### **56 Correction of errors in decisions**

- (1) This section applies if the Secretary of State or an inspector issues a decision document which contains a correctable error.
- (2) The Secretary of State or the inspector (as the case may be) may correct the error—
  - (a) if he is requested to do so in writing by any person;
  - (b) if he sends a statement in writing to the applicant which explains the error and states that he is considering making the correction.
- (3) But the Secretary of State or inspector must not correct the error unless—
  - (a) not later than the end of the relevant period he receives a request mentioned in subsection (2)(a) or sends a statement mentioned in subsection (2)(b),
  - (b) he informs the local planning authority of that fact, and
  - (c) he obtains the appropriate consent.
- (4) The relevant period—
  - (a) is the period within which an application or appeal may be made to the High Court in respect of the decision recorded in the decision document;
  - (b) does not include any time by which such a period may be extended by the High Court.
- (5) It is immaterial whether any such application or appeal is made.
- (6) The appropriate consent is—
  - (a) the consent in writing of the applicant;

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*Status: This is the original version (as it was originally enacted).*

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- (b) if the applicant is not the owner of the land in respect of which the decision was made, the consent in writing of both the applicant and the owner.
- (7) But consent is not appropriate consent if it is given subject to a condition.