



Planning Act 2008

2008 CHAPTER 29

PART 7

ORDERS GRANTING DEVELOPMENT CONSENT

CHAPTER 3

GENERAL

154 Duration of order granting development consent

- (1) Development for which development consent is granted must be begun before the end of—
 - (a) the prescribed period, or
 - (b) such other period (whether longer or shorter than that prescribed) as is specified in the order granting the consent.
- (2) If the development is not begun before the end of the period applicable under subsection (1), the order granting development consent ceases to have effect at the end of that period.
- (3) Where an order granting development consent authorises the compulsory acquisition of land, steps of a prescribed description must be taken in relation to the compulsory acquisition before the end of—
 - (a) the prescribed period, or
 - (b) such other period (whether longer or shorter than that prescribed) as is specified in the order.
- (4) If steps of the prescribed description are not taken before the end of the period applicable under subsection (3), the authority to compulsorily acquire the land under the order ceases to have effect.

Status: This is the original version (as it was originally enacted).

155 When development begins

- (1) For the purposes of this Act (except Part 11) development is taken to begin on the earliest date on which any material operation comprised in, or carried out for the purposes of, the development begins to be carried out.
- (2) “Material operation” means any operation except an operation of a prescribed description.

156 Benefit of order granting development consent

- (1) If an order granting development consent is made in respect of any land, the order has effect for the benefit of the land and all persons for the time being interested in the land.
- (2) Subsection (1) is subject to subsection (3) and any contrary provision made in the order.
- (3) To the extent that the development for which development consent is granted is development within section 17(3), the order granting the consent has effect for the benefit of a person for the time being interested in the land only if the person is a gas transporter.

157 Use of buildings in respect of which development consent granted

- (1) If development consent is granted for development which includes the erection, extension, alteration or re-erection of a building, the order granting consent may specify the purposes for which the building is authorised to be used.
- (2) If no purpose is so specified, the consent is taken to authorise the use of the building for the purpose for which it is designed.

158 Nuisance: statutory authority

- (1) This subsection confers statutory authority for—
 - (a) carrying out development for which consent is granted by an order granting development consent;
 - (b) doing anything else authorised by an order granting development consent.
- (2) Statutory authority under subsection (1) is conferred only for the purpose of providing a defence in civil or criminal proceedings for nuisance.
- (3) Subsections (1) and (2) are subject to any contrary provision made in any particular case by an order granting development consent.

159 Interpretation: land and rights over land

- (1) This section applies for the purposes of this Part.
- (2) “Land” includes any interest in or right over land.
- (3) Acquiring a right over land includes acquiring it by the creation of a new right as well as by the acquisition of an existing one.