



Localism Act 2011

2011 CHAPTER 20

PART 6

PLANNING

CHAPTER 7

OTHER PLANNING MATTERS

143 Applications for planning permission: local finance considerations

- (1) Section 70 of the Town and Country Planning Act 1990 (determination of applications for planning permission: general considerations) is amended as follows.
- (2) In subsection (2) (local planning authority to have regard to material considerations in dealing with applications) for the words from “to the provisions” to the end substitute “to—
 - (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.”
- (3) After subsection (2) insert—

“(2A) Subsection (2)(b) does not apply in relation to Wales.”
- (4) After subsection (3) insert—

“(4) In this section—
“local finance consideration” means—
 - (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or

Status: This is the original version (as it was originally enacted).

- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy;
“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;
“relevant authority” means—
 - (a) a district council;
 - (b) a county council in England;
 - (c) the Mayor of London;
 - (d) the council of a London borough;
 - (e) a Mayoral development corporation;
 - (f) an urban development corporation;
 - (g) a housing action trust;
 - (h) the Council of the Isles of Scilly;
 - (i) the Broads Authority;
 - (j) a National Park authority in England;
 - (k) the Homes and Communities Agency; or
 - (l) a joint committee established under section 29 of the Planning and Compulsory Purchase Act 2004.”
- (5) The amendments made by this section do not alter—
 - (a) whether under subsection (2) of section 70 of the Town and Country Planning Act 1990 regard is to be had to any particular consideration, or
 - (b) the weight to be given to any consideration to which regard is had under that subsection.