

2016 No. 331

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (Compensation) (England)
(Amendment) Regulations 2016**

<i>Made</i> - - - -	<i>10th March 2016</i>
<i>Laid before Parliament</i>	<i>11th March 2016</i>
<i>Coming into force</i> - -	<i>6th April 2016</i>

The Secretary of State, in exercise of the powers conferred by sections 108(2A), (3C), (5) and (6) of the Town and Country Planning Act 1990(a), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Compensation) (England) (Amendment) Regulations 2016 and come into force on 6th April 2016.

Amendments to prescribed descriptions of development

2. In regulation 2 of the Town and Country Planning (Compensation) (England) Regulations 2015(b), in paragraph (c) after “P,” insert “PA,”.

Signed by authority of the Secretary of State for Communities and Local Government

10th March 2016
Department for Communities and Local Government

Brandon Lewis
Minister of State

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Compensation) (England) Regulations 2015 (“the 2015 Regulations”) to add a new class of development to the list of permitted development rights for which compensation on withdrawal of the right is limited in various ways provided in the 2015 Regulations. The new right – Class PA – permits change of use from premises in light industrial use to dwellinghouses, and has been inserted into Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the 2015 Order”) by amendments set out in the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2016.

(a) 1990 c. 8; section 108(2A), (3C), (5) and (6) were inserted by section 189 of the Planning Act 2008 (c. 29). There are other amendments to section 108 which are not relevant to these Regulations.
(b) S.I. 2015/598.

The practical effect of these Regulations is that if a local planning authority withdraws the new permitted development rights by issuing a direction under article 4 of the 2015 Order, compensation is only payable in respect of planning applications made within 12 months beginning on the date the direction took effect. The Regulations also allow local planning authorities to avoid compensation liability on withdrawal of the new permitted development rights by publicising their intention to make an article 4 direction at least one year, and not more than two years, ahead of the article 4 direction taking effect.

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