Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Town and Country Planning (Compensation) (England) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

STATUTORY INSTRUMENTS

2015 No. 598

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Compensation) (England) Regulations 2015

Made - - - -	*18th March 2015*
Laid before Parliament	*24th March 2015*
Coming into force - -	*15th April 2015*

The Secretary of State, in exercise of the powers conferred by sections 108(2A), (3C), (3D), (3E), (5) and (6) of the Town and Country Planning Act 1990 [F1], makes the following Regulations:

F1 1990 c. 8; section 108 was amended by section 13 of the Planning and Compensation Act 1991 (c. 34) and section 40 of the Planning and Compulsory Purchase Act 2004 (c. 5) and sections 108(2A), (3C), (3D), (5) and (6) were inserted by section 189 of the Planning Act 2008 (c. 29). Section 108(3E) was inserted by section 121 of, and Schedule 12 to, the Localism Act 2011 (c. 20).

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the Town and Country Planning (Compensation) (England) Regulations 2015 and shall come into force on 15th April 2015.

(2) These Regulations apply in relation to England only.

(3) In these Regulations—

"the Act" means the Town and Country Planning Act 1990;

"the Permitted Development Order" means the Town and Country Planning (General Permitted Development) (England) Order 2015 [F2]; and

"the Procedure Order" means Town and Country Planning (Development Management Procedure) (England) Order 2015 [F3].

F2 S.I. 2015/596.
F3 S.I. 2015/595.

[F4Compensation for revocation or modification of permission in principle granted by development order

1A.—(1) Paragraph (2) applies where, in relation to development on particular land—

(a) permission in principle granted by a development order is revoked or modified pursuant to section 97(1)(b) of the 1990 Act (including section 97 as applied by section 100 of the Act), and

(b) on an application made under Part 3 of the 1990 Act before the end of the period of 12 months beginning with the date on which the revocation or modification takes effect, outline planning permission (within the meaning in section 92 of the 1990 Act) is refused for development of a description that is the same as, or falls within, the development described in the permission in principle (before it was revoked or modified).

(2) Subject to paragraph (3), where paragraph (1) applies section 107 of the 1990 Act shall apply as if the permission in principle granted by the development order had been granted by the local planning authority under Part 3 of the 1990 Act, and had been revoked or modified by an order under section 97(1)(a) of the 1990 Act.

(3) Paragraph (2) does not apply if the order under section 97 of the 1990 Act to revoke or modify the permission in principle is made at least 12 months and not more than 5 years before the revocation or modification takes effect.**]**

F4 Reg. 1A inserted (15.4.2017) by The Town and Country Planning (Permission in Principle) Order 2017 (S.I. 2017/402), art. 1, **Sch. para. 3(2)**

Prescribed development

2. For the purposes of section 108(2A)(a) and (3C)(a) of the Act (compensation where planning permission granted by development order is withdrawn), development permitted by the following provisions in Schedule 2 to the Permitted Development Order is prescribed—

(a) Part 1 (development within the curtilage of a dwellinghouse);

(b) Classes D and E of Part 2 (minor operations relating to electric vehicle charging points);

(c) Classes **[**F5AA,**]** C, D, J, **[**F6JA,**]** L, M, N, O, P, **[**F7PA,**]** Q, R, S, T and U of Part 3 (certain changes of use);

(d) Classes C, **[**F8CA,**]** D and E of Part 4 (temporary uses);

(e) Classes A to H, L, M and N of Part 7 (non-domestic extensions, alterations etc);

(f) Part 14 (installation of renewable energy equipment); F9...

(g) Class A of Part 16 (development by electronic communications code operators) to the extent that paragraph A.2(5) of Class A disapplies certain conditions in paragraph A.3 of Class A **[**F10; and**]**

[F11(h) Part 20 (construction of new dwellinghouses).**]**

F5 Word in reg. 2(c) inserted (23.5.2017) by The Town and Country Planning (Compensation) (England) (Amendment) (No. 2) Regulations 2017 (S.I. 2017/620), regs. 1, **2**

F6 Word in reg. 2(c) inserted (25.5.2019) by The Town and Country Planning (Permitted Development, Advertisement and Compensation Amendments) (England) Regulations 2019 (S.I. 2019/907), regs. 1(2), **18(2)**

F7 Word in reg. 2(c) inserted (6.4.2016) by The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2016 (S.I. 2016/331), regs. 1, **2**

F8 Word in reg. 2(d) inserted (6.4.2017) by The Town and Country Planning (Compensation) (England) (Amendment) Regulations 2017 (S.I. 2017/392), regs. 1, **2**

F9 Word in reg. 2(f) omitted (1.8.2020) by virtue of The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 (S.I. 2020/632), regs. 1(2), **26(a)**

F10 Word in reg. 2(g) substituted for full stop (1.8.2020) by The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 (S.I. 2020/632), regs. 1(2), **26(b)**

F11 Reg. 2(h) inserted (1.8.2020) by The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020 (S.I. 2020/632), regs. 1(2), **26(c)**

Prescribed manner for withdrawing planning permission in a development order

3. For the purposes of section 108(3C)(b) of the Act the prescribed manner for withdrawing planning permission is—

(a) by direction in accordance with article 4 of the Permitted Development Order; or

(b) by providing in a development order that planning permission—

(i) is for a limited period; or

(ii) is withdrawn after a date specified in the development order.

Notice of withdrawal – prescribed manner of publication and period for development orders

4.—(1) For the purposes of section 108(3C)(c) of the Act the following matters are prescribed.

(2) The prescribed manner in which notice of withdrawal is to be published is—

(a) in the manner described in paragraphs 1(1) to (5) of Schedule 3 to the Permitted Development Order; or

(b) by providing in a development order that planning permission—

(i) is for a limited period; or

(ii) is withdrawn after a date specified in the development order.

(3) The prescribed period is—

(a) 2 years; or

(b) where notice of withdrawal is published in accordance with paragraph (2)(b), 5 years.

Notice of withdrawal – prescribed manner of publication and period for local development orders

5.—(1) For the purposes of section 108(3D)(c) of the Act the following matters are prescribed.

(2) The prescribed manner for publication of notice of the revocation, amendment or directions is—

(a) in the manner described in paragraphs (7) and (8) of article 38 of the Procedure Order; or

(b) where a local development order grants planning permission for a limited period, or provides that planning permission is withdrawn after a date specified in the local development order, by placing a copy of that local development order in the appropriate section of the register kept by the local planning authority in accordance with articles 40 and 41 of the Procedure Order.

(3) The prescribed period is—