



# Levelling-up and Regeneration Act 2023

## 2023 CHAPTER 55

### PART 3

#### PLANNING

### CHAPTER 6

#### OTHER PROVISION

#### **128 Additional powers in relation to non-material changes to development consent orders**

In paragraph 2 of Schedule 6 to the Planning Act 2008 (non-material changes), after sub-paragraph (1) insert—

- “(1A) The Secretary of State may by regulations make provision about—
- (a) the decision-making process in relation to the exercise of the power conferred by sub-paragraph (1);
  - (b) the making of the decision as to whether to exercise that power;
  - (c) the effect of a decision to exercise that power.

This is subject to sub-paragraph (2).

- (1B) The power to make regulations under sub-paragraph (1A) includes power to allow a person to exercise a discretion.”

#### **Commencement Information**

**11** S. 128 in force at 26.12.2023, see s. 255(3)(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 128.