
STATUTORY INSTRUMENTS

2024 No. 452

**The Planning Act 2008 (Commencement No. 8) and
Levelling-up and Regeneration Act 2023 (Commencement
No. 4 and Transitional Provisions) Regulations 2024**

Part 3

Commencement of provisions of the Levelling-up and Regeneration Act 2023

Provisions of the 2023 Act coming into force on 25th April 2024

- 3.** The following provisions of the 2023 Act come into force on 25th April 2024—
- (a) section 103 (temporary stop notices in relation to listed buildings);
 - (b) section 115 (time limits for enforcement);
 - (c) section 116 (duration of temporary stop notices);
 - (d) section 117 (enforcement warning notices);
 - (e) section 118 (restriction on appeals against enforcement notices);
 - (f) section 119 (undue delays in appeals);
 - (g) section 120 (penalties for non-compliance);
 - (h) section 122 (consultation before applying for planning permission);
 - (i) section 124 (powers as to form and content of planning applications).

Provision of the 2023 Act coming into force on 25th July 2024

4. Section 105 of the 2023 Act (removal of compensation for building preservation notice) comes into force on 25th July 2024.

Transitional provision: time limits for enforcement

5. The amendments made to the 1990 Act by section 115 of the 2023 Act (time limits for enforcement) do not apply where—

- (a) in respect of a breach of planning control referred to in section 171B(1) of the 1990 Act (1) (time limits), the operations were substantially completed, or
- (b) in respect of a breach of planning control referred to in section 171B(2) of the 1990 Act (time limits), the breach occurred,

before the day on which that section comes into force.

(1) Section 171B was inserted by section 4(1) of the Planning and Compensation Act 1991 (c. 34) and amended by paragraph 4 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24).

Transitional provision: duration of temporary stop notices

6. The amendments made to the 1990 Act by section 116 of the 2023 Act (duration of temporary stop notices) do not apply where—

- (a) a temporary stop notice has been issued under section 171E of the 1990 Act⁽²⁾, and
- (b) the temporary stop notice has not been withdrawn under section 171E(7)(c) of that Act,

before the day on which that section comes into force.

Transitional provision: enforcement notices

7. The amendments made to the 1990 Act by section 118 of the 2023 Act (restriction on appeals against enforcement notices) do not apply where—

- (a) an enforcement notice has been issued under section 172 of the 1990 Act⁽³⁾ (issue of enforcement notice), and
- (b) the enforcement notice has not been withdrawn under section 173A of that Act⁽⁴⁾ (variation and withdrawal of enforcement notices),

before the day on which that section comes into force.

Transitional provisions: undue delays in appeals

8.—(1) The amendments made to the 1990 Act by section 119 of the 2023 Act (undue delays in appeals) do not apply where—

- (a) an enforcement notice has been issued under section 172 of the 1990 Act (issue of enforcement notice),
- (b) the enforcement notice has not been withdrawn under section 173A of the 1990 Act (variation and withdrawal of enforcement notices), and
- (c) an appeal under section 174 of the 1990 Act⁽⁵⁾ (appeal against enforcement notice) has been made against that notice,

before the day on which that section comes into force.

(2) The amendments made to the 1990 Act by section 119 of the 2023 Act (undue delays in appeals) do not apply where—

- (a) an application has been made to a local planning authority and determined or not determined (as the case may be) under either section 191 of the 1990 Act⁽⁶⁾ (certificate of lawfulness of existing use or development) or section 192 of the 1990 Act (certificate of lawfulness of proposed use or development), and
- (b) an appeal under either subsection (1)(a) or (1)(b) of section 195 of that Act (appeals against refusal or failure to give decision on application) has been made against that refusal or failure to give a decision,

before the day on which that section comes into force.

(2) Section 171E was inserted by section 52 of the Planning and Compulsory Purchase Act 2004 (c. 5).

(3) Section 172 was substituted by section 5(1) of the Planning and Compensation Act 1991 (c. 34).

(4) Section 173A was inserted by section 5(1) of the Planning and Compensation Act 1991 (c. 34).

(5) Section 174 was amended by section 6(1) and paragraph 22 of Schedule 7 to the Planning and Compensation Act 1991 (c. 34), article 3 of the Town and Country Planning (Electronic Communications) (England) Order 2003 (S.I. 2003/956), article 3 of the Town and Country Planning (Electronic Communications) (Wales) (No. 1) Order 2004 (S.I. 2004/3156 (W. 273)), section 123(4) of the Localism Act 2011 (c. 20), paragraph 5 of Schedule 17 to the Enterprise and Regulatory Reform Act 2013 (c. 24) and section 46 of the Planning (Wales) Act 2015 (anaw/dccc 4).

(6) Section 191 was substituted by section 10(1) of the Planning and Compensation Act 1991 (c. 34) and amended by section 124(3) of the Localism Act 2011 (c. 20) and paragraph 6(3) of Schedule 4 to the Mobile Homes (Wales) Act 2013 (anaw/dccc 6).

Transitional provision: penalties for non-compliance

9. The amendments made to the 1990 Act by section 120 of the 2023 Act (penalties for non-compliance) apply only in relation to offences committed after the section has come into force.