



Town and Country Planning Act 1990

1990 CHAPTER 8

PART VII

ENFORCEMENT

^{F1}[Introductory

^{F1}[171B Time limits.

- (1) Where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of—
 - ^{F2}(a) [in the case of a breach of planning control in England, ten years beginning with the date on which the operations were substantially completed, and
 - (b) in the case of a breach of planning control in Wales, four years beginning with the date on which the operations were substantially completed.]
- (2) Where there has been a breach of planning control consisting in the change of use of any building to use as a single dwellinghouse, no enforcement action may be taken after the end of the period of—
 - ^{F3}(a) [in the case of a breach of planning control in England, ten years beginning with the date of the breach, and
 - (b) in the case of a breach of planning control in Wales, four years beginning with the date of the breach.]
- ^{F4}(2A) [There is no restriction on when enforcement action may be taken in relation to a breach of planning control in respect of relevant demolition (within the meaning of section 196D).]
- (3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.
- (4) The preceding subsections do not prevent—

Changes to legislation: Town and Country Planning Act 1990, Section 171B is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the service of a breach of condition notice in respect of any breach of planning control if an enforcement notice in respect of the breach is in effect; or
- (b) taking further enforcement action in respect of any breach of planning control if, during the period of four years ending with that action being taken, the local planning authority have taken or purported to take enforcement action in respect of that breach.]

Textual Amendments

- F1** Ss. 171A, 171B inserted (2.1.1992 for certain purposes and otherwise 27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [s. 4\(1\)](#) (with [s. 84\(5\)](#)); [S.I. 1991/2905](#), [art.3](#) (subject to [art. 5](#)); [S.I. 1992/1630](#), [art. 2](#) (with [art. 3\(1\)](#))
- F2** S. 171B(1)(a)(b) substituted for words in s. 171B(1) (25.4.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 115\(1\)](#), [255\(3\)\(b\)](#) (with [s. 247](#)); [S.I. 2024/452](#), [reg. 3\(b\)](#) (with [reg. 5](#))
- F3** S. 171B(2)(a)(b) substituted for words in s. 171B(2) (25.4.2024) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), [ss. 115\(2\)](#), [255\(3\)\(b\)](#) (with [s. 247](#)); [S.I. 2024/452](#), [reg. 3\(b\)](#) (with [reg. 5](#))
- F4** S. 171B(2A) inserted (1.10.2013) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), [s. 103\(3\)](#), [Sch. 17 para. 4](#); [S.I. 2013/2227](#), [art. 2\(m\)](#)

Modifications etc. (not altering text)

- C1** S. 171B(2A) transitional provisions for effects of [2003 c. 24](#), [s. 63](#), [Sch. 17 paras. 1-6](#) (2.10.2013) by [The Town and Country Planning \(Isles of Scilly\) Order 2013 \(S.I. 2013/2148\)](#), [arts. 1\(1\)](#), [5\(4\)\(b\)](#)

Changes to legislation:

Town and Country Planning Act 1990, Section 171B is up to date with all changes known to be in force on or before 01 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 79\(2\)](#)
- Act applied by [2023 asc 3 s. 83\(4\)](#)
- Act excluded by [2023 asc 3 s. 140\(4\)\(b\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(3) inserted by [2023 c. 55 Sch. 17 para. 2\(2\)](#)
- s. 7A(6) inserted by [2023 c. 55 Sch. 17 para. 2\(4\)](#)
- s. 7ZA inserted by [2023 c. 55 Sch. 17 para. 2\(3\)](#)
- s. 58B and cross-heading inserted by [2023 c. 55 s. 102\(1\)](#)
- s. 59A(3)(ba) inserted by [2023 c. 55 Sch. 8 para. 4\(b\)](#)
- s. 62B(5)(ca) inserted by [2023 c. 55 Sch. 17 para. 2\(5\)](#)
- s. 70(2)(azb) inserted by [2023 c. 55 Sch. 6 para. 3\(a\)](#)
- s. 70(3)(ca) inserted in earlier affecting provision [2016 c. 22, s. 5\(8\)](#) by [2023 asc 3 Sch. 13 para. 194](#)
- s. 70(3A) inserted by [2017 c. 20 Sch. 3 para. 2](#)
- s. 70A(5A) inserted by [2023 c. 55 Sch. 6 para. 4\(a\)](#)
- s. 70A(10)(11) inserted by [2023 c. 55 s. 110\(4\)\(b\)](#)
- s. 70B(5A)(5B) inserted by [2023 c. 55 s. 110\(5\)\(b\)](#)
- s. 73B inserted by [2023 c. 55 s. 110\(2\)](#)
- s. 74(1C)(aa) inserted by [2023 c. 55 Sch. 6 para. 5\(b\)](#)
- s. 75ZA and cross-heading inserted by [2016 c. 22 s. 155](#)
- s. 83(1A)-(1C) amendment to earlier affecting provision [2004 c. 5, s. 45\(2\)](#) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(1A)-(1C) inserted by [2004 c. 5 s. 45\(2\)](#)
- s. 83(2)-(2B) amendment to earlier affecting provision [2004 c. 5, s. 45\(3\)](#) by [2011 c. 20 Sch. 8 para. 14\(4\)\(5\)Sch. 25 Pt. 16](#)
- s. 83(2)-(2B) substituted for s. 83(2) by [2004 c. 5 s. 45\(3\)](#)
- s. 83(4) inserted by [2004 c. 5 s. 45\(4\)](#)
- s. 85(1A) inserted by [2004 c. 5 s. 45\(6\)](#)
- s. 93(5)(6) inserted by [2017 c. 20 Sch. 3 para. 6](#)
- s. 94(1)(e) and word inserted by [2023 c. 55 Sch. 9 para. 1\(15\)](#)
- s. 102(1A) inserted by [2023 c. 55 Sch. 6 para. 9\(b\)](#)
- s. 106A(9A) inserted by [2023 c. 55 s. 125](#)
- s. 106ZA inserted by [2016 c. 22 s. 158\(1\)](#)
- s. 106ZB inserted by [2016 c. 22 s. 159\(1\)](#)
- s. 106ZB(2)(a) omitted by [2023 c. 55 s. 130\(3\)\(b\)](#)
- s. 108(1A)(1B) inserted by [2015 c. 7 Sch. 4 para. 15\(4\)](#)
- s. 108(3A) inserted by [2004 c. 5 Sch. 6 para. 6](#)
- s. 108(3B)(ba) inserted by [2015 c. 7 Sch. 4 para. 15\(6\)](#)
- s. 108(3B)(ba) word omitted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(i\)](#)
- s. 108(3B)(bb) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(d\)\(ii\)](#)
- s. 108(3DA) inserted by [2015 c. 7 Sch. 4 para. 15\(7\)](#)
- s. 108(3DB) inserted by [2023 c. 55 Sch. 9 para. 1\(16\)\(e\)](#)
- s. 141(6) inserted by [2017 c. 20 Sch. 3 para. 7](#)
- s. 169(1)(a) words renumbered as s. 169(1)(a) by [2017 c. 20 s. 26\(5\)\(a\)](#)
- s. 169(1)(b) inserted by [2017 c. 20 s. 26\(5\)\(b\)](#)
- s. 170(8BA) inserted by [2017 c. 20 s. 26\(6\)](#)
- s. 174(2AA)(b) words substituted by [2023 c. 55 s. 113\(6\)](#)
- s. 208(5A) inserted by [2008 c. 29 Sch. 10 para. 9\(2\)](#)

- s. 303(1ZZA) inserted by 2023 asc 3 Sch. 13 para. 87
- s. 303(10A) inserted by 2015 c. 7 Sch. 4 para. 19(3)
- s. 303(12) inserted by 2015 c. 7 Sch. 4 para. 19(4)
- s. 303A(1A)(za) inserted by 2023 c. 55 Sch. 8 para. 7(2)(a)
- s. 303A(9B) inserted by 2023 c. 55 Sch. 8 para. 7(4)
- s. 303A(10)(za) inserted by 2023 c. 55 Sch. 8 para. 7(5)
- s. 303A(12) inserted by 2023 c. 55 Sch. 8 para. 7(6)
- s. 303ZB inserted by 2023 c. 55 s. 134
- s. 314A inserted by 2023 asc 3 Sch. 13 para. 90
- s. 324(1A)(a) words in s. 324(1A) renumbered as s. 324(1A)(a) by 2023 c. 55 Sch. 9 para. 1(20)(a)
- s. 324(1A)(b) and word inserted by 2023 c. 55 Sch. 9 para. 1(20)(b)
- s. 333(3ZZAA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(b)
- s. 333(3ZB) inserted by 2016 c. 22 s. 159(2)
- s. 333(3ZZA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(a)
- Sch. 1 para. 5(4) inserted by 2023 c. 55 Sch. 17 para. 2(7)(c)
- Sch. 1 para. 7(10)(10A) substituted for Sch. 1 para. 7(10) by 2023 c. 55 Sch. 8 para. 11(2)
- Sch. 4B para. 11(3)-(5) inserted by 2017 c. 20 s. 7
- Sch. 4B para. 8(2)(fa) inserted by 2023 c. 55 s. 99(1)(b)
- Sch. 4B para. 8(2)(ca) inserted by 2023 c. 55 s. 102(2)(a)(ii)
- Sch. 4B para. 8(4A)(4B) inserted by 2023 c. 55 s. 102(2)(b)
- Sch. 4B para. 5(5)(za) inserted by 2023 c. 55 Sch. 6 para. 12(a)
- Sch. 4B para. 8(2)(da) inserted by 2023 c. 55 Sch. 6 para. 12(b)
- Sch. 4B para. 8(2)(ea) substituted for Sch. 4B para. 8(2)(e) by 2023 c. 55 s. 99(1)(a)
- Sch. 7 para. 12(1)-(1C) amendment to earlier affecting provision 2004 c. 5 s. 45(9) by 2011 c. 20 Sch. 8 para. 14(7)
- Sch. 7 para. 12(1)-(1C) substituted for Sch. 7 para. 12(1) by 2004 c. 5 s. 45(9)
- Sch. 9 para. 1(1A) inserted by 2023 c. 55 Sch. 6 para. 13(b)
- Sch. 9A inserted by 2016 c. 22 Sch. 13
- Sch. 13 para. 24A inserted by 2017 c. 20 s. 26(7)