

**Extensions to time  
limits for  
implementing  
planning  
permission**

**DLP BRIEFING NOTE 103**

Prepared by  
**DLP Planning Ltd**

July 2012

[www.dlpconsultants.co.uk](http://www.dlpconsultants.co.uk)



## **DLP Planning Ltd**

Bedford  
Sheffield  
London  
Bristol  
Cardiff

### Disclaimer

DLP Consulting Group Ltd, and its constituent companies disclaims any responsibility to the client and others in respect of matters outside the scope of this Report. This Report has been prepared with reasonable skill, care and diligence, is the property of DLP Consulting Group, and is confidential to the client, DLP Consulting Group Ltd accepts no responsibility of whatsoever nature to third parties, to whom this report has been provided.

## **Extensions to time limits for implementing planning permission**

Time is running short for those wishing to extend the time limit on an existing unimplemented planning permission under the temporary measures brought into force in October 2009.

Clients are advised to review any unimplemented planning permissions that they may have as the power to extend the life of such permissions under the much simplified regime is shortly to cease to have effect.

Once this occurs on 1<sup>st</sup> October 2012 (for 3 year permissions), applicants looking to extend the time limit of a planning permission will need to make a new application, including the submission of all the necessary supporting plans and documents, updated as necessary, as well as paying the full fee again to the Council.

### **Background**

On 1 October 2009, the Town and Country Planning (General Development Procedure) (Amendment No. 3) (England) Order 2009 (SI 2009 No. 2261) and the Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2009 (SI 2009 No. 2262) introduced new powers to extend the time limits of existing planning permissions.

This was intended to be a temporary measure to specifically address the economic downturn, allowing applications to be more efficiently renewed and implemented shortly after when economic conditions improved.

The simplified regime has only a few criteria associated with it, these are: -

- The original planning permission must not have expired at the point the renewal application is made;
- The original planning permission must not have been begun i.e. implemented;
- The original planning permission was granted on or before 1<sup>st</sup> October 2009 subject to a time limit imposed on it under Section 91 or Section 92 of the Town and Country Planning Act 1990.

As such, providing these criteria are met, then a renewal application can be made for a planning application with only the necessary planning application form and a much reduced planning fee.

Where original surveys that were time specific formed part of the original application, such as ecology surveys, the LPA could requested these details be updated, but beyond this there is no requirement for a Design and Access Statement or any other originally submitted reports to be re-submitted.

The planning application fee is notably reduced also, being: -

- £500 for a major development;
- £50 for a householder development; and
- £170 for all other developments.

The provision also extends to applications for Listed Building Consent and Conservation Area Consent granted on or before the same date, provided that they are associated with a suitable planning permission. The provision does not extend to renewing such applications in isolation.

### **Implications**

This provision does not extend for permissions granted after 1<sup>st</sup> October 2009, but there are a number of months remaining where extant and unimplemented permissions can still be extended under this much simplified and cheaper process.

DCLG have made no formal announcement that they intend to extend this measure at the time of writing.

The Courts have confirmed that even if the original permission has expired after the application was made, but before determination, the Local Planning Authority retain the ability to make a decision. As such, applications can be extended, provided the conditions noted are all met, up to the cut off date.

Clients are advised to review any extant permissions and review their options at the present time to maximise their chances of renewing permissions under the existing simplified regime whilst it still remains in force.

If you require more information or would like to discuss the issues mentioned in further detail please contact:

**Bedford (Design)**

5 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH  
T 01234 261 266  
F 01234 347 413

**Bedford (Planning)**

4 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH  
T 01234 832 740  
F 01234 831 266

**Bristol**

2A High Street  
Thornbury  
Bristol  
BS35 2AQ  
T 01454 410 380  
F 01454 410 389

**London**

1<sup>st</sup> Floor Holborn Gate  
330 High Holborn  
London  
WC1V 7QT  
T 020 7849 6979  
F 020 7203 6701

**Cardiff**

Sophia House  
28 Cathedral Road  
Cardiff  
CF11 9LJ  
T 029 2064 6810

**Sheffield**

11 Paradise Square  
Sheffield  
S1 2DE  
T 0114 228 9190  
F 0114 272 1947

# briefing

## **BEDFORD**

DLP Planning Ltd  
4 Abbey Court  
Fraser Road  
Priory Business Park  
Bedford  
MK44 3WH

t 01234 832 740

f 01234 831 266

bedford@dlpconsultants.co.uk

DLP Design Ltd  
8 Goldington Road  
Bedford  
MK40 3LG

t 01234 261 266

f 01234 347 413

bedford@dlp-design.co.uk

## **BRISTOL**

DLP Planning Ltd  
DLP Transportation Ltd  
2A High Street  
Thornbury  
Bristol  
BS35 2AQ

t 01454 410 380

f 01454 410 389

bristol@dlpconsultants.co.uk

## **CARDIFF**

DLP Planning Ltd  
28 Cathedral Road  
Cardiff  
CF11 9LJ

t 029 2064 6810

cardiff@dlpconsultants.co.uk

## **LONDON**

1st Floor  
Holborn Gate  
330 Holborn Gate  
London  
WC1C 7QT

t 020 7849 6979

f 020 7203 6701

London@dlpconsultants.co.uk

## **SHEFFIELD**

11 Paradise Square  
Sheffield  
S1 2DE

t 0114 228 9190

f 0114 272 1947

sheffield@dlpconsultants.co.uk

