



# Deddf Cynllunio (Cymru) 2015

2015 dccc 4

## RHAN 6

### RHEOLI DATBLYGU ETC

#### *Cyfnod para caniatâd cynllunio*

#### **35 Cyfnod para caniatâd cynllunio: cyffredinol**

- (1) Mae adran 91 o DCGTh 1990 (amod cyffredinol sy'n cyfyngu ar gyfnod para caniatâd cynllunio) wedi ei diwygio yn unol ag is-adrannau (2) i (6).
- (2) Yn is-adran (1), ym mharagraff (a), yn lle'r geiriau cyn "beginning with" rhodder "the applicable period,".
- (3) Yn is-adran (3)—
  - (a) ar ôl "shall" mewnosoder "(subject to subsections (3ZA) and (3ZB))";
  - (b) yn lle'r geiriau o "expiration of" hyd at y diwedd, rhodder "expiration of the applicable period, beginning with the date of the grant".
- (4) Ar ôl is-adran (3) mewnosoder—

"(3ZA) Subsection (3ZB) applies if—

  - (a) a section 73 permission is granted for the development of land in Wales, but without the condition required by subsection (1), and
  - (b) the previous permission was granted, or deemed to have been granted (whether by virtue of this section or otherwise) subject to a condition as to the time within which development was to be begun.

(3ZB) The section 73 permission shall be deemed to have been granted subject to the condition that the development to which it relates must be begun not later than the date on or before which the previous permission required development to be begun.

- (3ZC) The previous permission, in relation to a section 73 permission, is the previous planning permission referred to in section 73(1).
- (3ZD) References in subsections (3ZA) to (3ZC) to a section 73 permission are to a planning permission granted under section 73.”
- (5) Yn is-adran (3A), ar ôl “validity” mewnosoder “, in respect of the development of land in England,”.
- (6) Ar ôl is-adran (4) mewnosoder—
- “(5) The applicable period—
- (a) in relation to England, is three years;
- (b) in relation to Wales, is five years.”
- (7) Yn adran 73 o DCGTh 1990 (penderfynu ar geisiadau i ddatblygu tir heb gydymffurfio ag amodau a atodwyd o'r blaen), yn is-adran (5), ar ôl “under this section” mewnosoder “for the development of land in England”.
- (8) Yn adran 51 o DCPHG 2004 (cyfnod para caniatâd a chydsyniad), yn is-adran (1), hepgorer paragraff (a).

### **36 Cyfnod para caniatâd cynllunio amlinellol**

- (1) Mae adran 92 o DCGTh 1990 (caniatâd cynllunio amlinellol) wedi ei diwygio yn unol ag is-adrannau (2) i (6).
- (2) Yn is-adran (2), yn lle paragraff (b) rhodder—
- “(b) that, in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;
- (c) that, in the case of outline planning permission for the development of land in Wales, the development must be begun no later than—
- (i) the expiration of five years from the date of the grant of outline planning permission, or
- (ii) if later, the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.”
- (3) Yn is-adran (3), ar ôl “shall” mewnosoder “(subject to subsections (3A) to (3D))”.
- (4) Ar ôl is-adran (3) mewnosoder—
- “(3A) If outline planning permission is granted under section 73 for the development of land in Wales, but without the condition required by subsection (2)(a), it shall be deemed to have been granted subject to the following condition.
- (3B) The condition is that, in the case of any reserved matter, application for approval must be made not later than the date on or before which the previous permission required application for approval, in the case of any matter reserved under the previous permission, to be made.

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*Statws* This is the original version (as it was originally enacted).

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- (3C) If outline planning permission is granted under section 73 for the development of land in Wales, but without a condition required by subsection (2)(c), it shall be deemed to have been granted subject to the following condition.
- (3D) The condition is that the development to which the permission relates must be begun not later than the date on or before which the previous permission required development to be begun.
- (3E) The previous permission, in relation to outline planning permission granted under section 73, is the previous planning permission referred to in subsection (1) of that section.”
- (5) Yn is-adran (4), hepgorer y geiriau o “of three” hyd at “two years”.
- (6) Yn is-adran (5), ar ôl “(b)” mewnosoder “or (c)”.
- (7) Yn adran 51 o DCPhG 2004 (cyfnod para caniatâd a chydysyniad), hepgorer is-adran (2).