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STATUTORY INSTRUMENTS

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**1991 No. 1220**

**The Planning(Northern Ireland) Order 1991**

**PART IV**

**PLANNING CONTROL**

*Duration of planning permission*

**Duration of outline planning permission**

**35.**—(1) In this Article and in Article 34 “outline planning permission” means planning permission granted in accordance with the provisions of a development order, conditional on the subsequent approval by the Department of the particulars of the proposed development (in this Article referred to as “reserved matters”).

(2) Subject to this Article, where outline planning permission is granted for development consisting of or including the carrying out of building or other operations it shall be granted subject to conditions to the following effect—

- (a) that in the case of any reserved matter application for approval must be made within three years of the date of the grant of outline planning permission; and
- (b) that the development to which the permission relates must be begun by whichever is the later of the following dates—
  - (i) the expiration of five years from the date of the grant of outline planning permission; or
  - (ii) 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) If outline planning permission is granted without the conditions required by paragraph (2), it shall be deemed to have been granted subject to those conditions.

(4) The Department may, in applying paragraph (2), substitute for the periods of three years, five years or two years referred to in that paragraph, such other periods respectively (whether longer or shorter) as it considers appropriate.

(5) The Department may, in applying paragraph (2), specify separate periods under paragraph (2) (a) in relation to separate parts of the development to which the planning permission relates; and if it does so, the condition required by paragraph (2)(b) shall then be framed correspondingly by reference to those parts, instead of by reference to the development as a whole.