



Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART III

GENERAL PLANNING CONTROL

Duration of planning permission

38 Limit of duration of planning permission

- (1) Subject to the provisions of this section, every planning permission granted or deemed to be granted shall be granted or, as the case may be, be deemed to be granted, subject to the condition that the development to which it relates must be begun not later than the expiration of—
 - (a) five years beginning with the date on which the permission is granted or, as the case may be, deemed to be granted; or
 - (b) such other period (whether longer or shorter) beginning with the said date as the authority concerned with the terms of the planning permission may direct, being a period which the authority considers appropriate having regard to the provisions of the development plan and to any other material considerations.
- (2) If planning permission is granted without the condition required by subsection (1) of this section, it 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 expiration of five years beginning with the date of the grant.
- (3) Nothing in this section applies—
 - (a) to any planning permission granted by a development order;
 - (b) to any planning permission granted for a limited period ;
 - (c) to any planning permission granted under section 29 of this Act on an application relating to buildings or works completed, or a use of land instituted, before the date of the application ; or

Status: This is the original version (as it was originally enacted).

(d) to any outline planning permission, as defined by section 39 of this Act.