

*Changes to legislation: There are currently no known outstanding effects for the Commons Act 2006, SCHEDULE 1B. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1B

#### EXCLUSION OF RIGHT UNDER SECTION 15: WALES

##### Textual Amendments

- F1** Sch. 1B inserted (6.9.2015 for specified purposes, 22.10.2018 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 6](#); [S.I. 2018/1022](#), art. 2(b) (with art. 3)

##### *Trigger events*

1. An application for planning permission for development of the land is granted under the 1990 Act, or a direction that planning permission for development of the land is deemed to be granted is given under section 90 of that Act.

2. A local development order which grants planning permission for operational development of the land is adopted for the purposes of paragraph 3 of Schedule 4A to the 1990 Act.

##### *Terminating events*

- (a) Where the planning permission is subject to a condition that the development to which it relates must be begun within a particular period, that period expires without the development having been begun.
- (b) On the expiry of the period specified in a completion notice, the planning permission ceases to have effect in relation to the land by virtue of section 95(4) of the 1990 Act.
- (c) An order made by the local planning authority or the Welsh Ministers under section 97 of the 1990 Act revokes the planning permission or modifies it so that it does not apply in relation to the land.
- (d) The planning permission is quashed by a court.
- (a) The permission granted by the order for operational development of the land ceases to apply by virtue of a condition or limitation specified in the order under section 61C(1) of the 1990 Act.
- (b) A direction is issued under powers conferred by the order under section 61C(2) of the 1990 Act, with the effect that the grant of permission by the order does not apply to operational development of the land.

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3. An order granting development consent for development of the land is made under section 114 of the 2008 Act.
- (c) The order is revised under paragraph 2 of Schedule 4A to the 1990 Act so that it does not grant planning permission for operational development of the land.
  - (d) The order is revoked under section 61A(6) or 61B(8) of the 1990 Act.
  - (e) The order is quashed by a court.
- (a) The order granting development consent ceases to have effect by virtue of section 154(2) of the 2008 Act.
  - (b) An order made by the Secretary of State under paragraph 2 or 3 of Schedule 6 to the 2008 Act changes the order granting development consent so that it does not apply in relation to the land.
  - (c) An order made by the Secretary of State under paragraph 3 of Schedule 6 to the 2008 Act revokes the order granting development consent.
  - (d) The order granting development consent is quashed by a court.
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### *Interpretation*

- 1 In this Schedule—
- “operational development” means any development within the meaning of the 1990 Act other than development which consists only of the making of a material change in the use of any buildings or other land;
  - “the 1990 Act” means the Town and Country Planning Act 1990;
  - “the 2008 Act” means the Planning Act 2008.
- 2 An event specified in the entry in the second column of the Table corresponding to paragraph 2 is not a terminating event in circumstances where the local development order permits the completion of operational development of the land which began before the occurrence of the event.]

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