

*These notes refer to the Planning (Wales) Act 2015
(c.4) which received Royal Assent on 6 July 2015*

PLANNING (WALES) ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 6 Development Management etc

Section 35 – Duration of planning permission: general

134. This section makes a number of amendments to section 91 of the TCPA 1990 (General condition limiting duration of planning permission) and inserts new subsections (3ZA), (3ZB), (3ZC) and (3ZD).
135. Subsections (3ZA) and (3ZB) apply if planning permission is granted under section 73 of the TCPA 1990 which varies or removes conditions from a previous grant of planning permission. If the section 73 permission is granted without a time limit condition and the previous planning permission was granted subject to a time limit condition, the section 73 permission is granted subject to a deemed time limit condition that the development is started no later than the date on which the previous planning permission required the development to be started. This means that, unless a new period is stated, a new permission under section 73 lasts for the unexpired period of the original permission.
136. Subsection (3ZC) and (3ZD) define the term previous planning permission and section 73 permission.