

## Guidance notes for:

**Application for a new planning permission to replace an extant planning permission, in order to extend the time limit for implementation** *Town and Country Planning Act 1990*

**Application for replacement of associated listed building and/or conservation area consents in order to extend the time limit for implementation** *Planning (Listed Buildings and Conservation Areas) Act 1990*

This form should be used to make an application for a new planning permission to replace an extant planning permission, where the applicant is seeking to extend the time limit for implementation. It should also be used where an extant listed building consent or conservation area consent is associated with the planning permission, and the applicant wishes to extend the time limit for implementation for that consent also.

Planning permissions are granted subject to time limits for implementation, which are set out in a planning condition. This condition will specify that the development must be begun before a certain date. Under s. 91 of the Town and Country Planning Act 1990, there is a default time limit of three years for a full planning permission. Section 92 deals with time limits for outline permissions, where there is a default time limit of three years for submission of reserved matters, and a further two years for implementation following final approval of the last of the reserved matters. The local planning authority has discretion to impose different time limits, if there are good planning reasons for doing so.

If an application made on this form is granted, the result will be a new planning permission/consent with a new time limit or limits. The original permission will continue to exist whatever the outcome of this application.

It is not possible to use this procedure where the development has already commenced, where the permission or consent has already expired at the time of application, or where the permission/consent was granted after 1 October 2009. In those cases, a new application would have to be made. It is also not possible to use this procedure solely to extend the time limit for submission of reserved matters. Applicants would have to seek a replacement for the outline permission itself, which if successful would create new time limits for the submission of reserved matters and for subsequent implementation.

It is often helpful to discuss your proposal before you send in your application and to seek pre-application advice from your local planning authority. For details please look at your local planning authority's website.

Until the fees regulations are amended (expected to be in late November/ early December 2009), the fee payable for this type of application will be the same as if the application were for a new planning permission. There is no fee for the element of this application which is in respect of a listed building or conservation area consent.