



# Planning (Wales) Act 2015

2015 anaw 4

## PART 6

### DEVELOPMENT MANAGEMENT ETC

#### *Duration of planning permission*

#### **36 Duration of outline planning permission**

- (1) Section 92 of TCPA 1990 (outline planning permission) is amended in accordance with subsections (2) to (6).
- (2) In subsection (2), for paragraph (b) substitute—
  - “(b) that, in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than 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;
  - (c) that, in the case of outline planning permission for the development of land in Wales, the development must be begun no later than—
    - (i) the expiration of five years from the date of the grant of outline planning permission, or
    - (ii) if later, 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) In subsection (3), after “shall” insert “ (subject to subsections (3A) to (3D)) ”.
- (4) After subsection (3) insert—

“(3A) If outline planning permission is granted under section 73 for the development of land in Wales, but without the condition required by subsection (2)(a), it shall be deemed to have been granted subject to the following condition.

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*Changes to legislation: There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 36. (See end of Document for details)*

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- (3B) The condition is that, in the case of any reserved matter, application for approval must be made not later than the date on or before which the previous permission required application for approval, in the case of any matter reserved under the previous permission, to be made.
- (3C) If outline planning permission is granted under section 73 for the development of land in Wales, but without a condition required by subsection (2)(c), it shall be deemed to have been granted subject to the following condition.
- (3D) The condition is that the development to which the permission relates must be begun not later than the date on or before which the previous permission required development to be begun.
- (3E) The previous permission, in relation to outline planning permission granted under section 73, is the previous planning permission referred to in subsection (1) of that section.”
- (5) In subsection (4), omit the words from “of three” to “two years”.
- (6) In subsection (5), after “(b)” insert “ or (c) ”.
- (7) In section 51 of PCPA 2004 (duration of permission and consent), omit subsection (2).

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**Commencement Information**

- I1** S. 36 partly in force; s. 36 in force for specified purposes at 6.9.2015, see s. 58(2)(b)(4)(b)
- I2** S. 36 in force at 16.3.2016 in so far as not already in force by S.I. 2016/52, art. 5(b) (with art. 13)

**Changes to legislation:**

There are currently no known outstanding effects for the Planning (Wales) Act 2015, Section 36.