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SCHEDULES

SCHEDULE 24

TRANSITIONAL PROVISIONS AND SAVINGS

PART IV

GENERAL PLANNING CONTROL

Planning permission: general

- 12 Subsection (1) of section 23 of this Act applies (subject to the provisions of that section) to the carrying out of development whether before or after the commencement of this Act, except that it does not apply to development carried out on or before the appointed day.
- 13 In sections 26 and 27 of this Act references to an application for planning permission do not include references to any application made before 16th August 1959.
- 14 Subsection (2)(b) of section 26, and the other provisions of that section relating to subsection (2)(b), do not apply to my application made before 1st April 1969.
- 15 Where by virtue of paragraph 12 of Schedule 14 to the Act of 1962 (works for making good war damage which were begun between the appointed day and 13th December 1950) any works were, immediately before the commencement of this Act, treated for the purposes of that Act as if planning permission had been granted unconditionally in respect thereof, those works shall be so treated for the purposes of this Act also.
- 16 For the purposes of paragraph 1 of this Schedule, any order made or having effect as if made by virtue of subsection (3) of section 19 of the Act of 1962, being an order which was saved on the repeal of that subsection by the Secretary of State for the Environment Order 1970, shall be treated as having been made under provisions of the Act of 1962 corresponding to those of section 31 of this Act notwithstanding the omission from the said section 31 of provisions corresponding to those of the said section 19 which were repealed as aforesaid.

Review of planning decisions and orders under Part V of Act of 1954

- 17 For the purposes of paragraph 1 of this Schedule, any direction given under section 45(3) or (4) of the Act of 1954, whether before or (by virtue of paragraph 79 of this Schedule) after the commencement of this Act, as well as any direction given under section 23 of that Act or section 25 of the Act of 1962, shall be treated as a direction which could have been given under provisions of the Act of 1962 corresponding to those of section 38 of this Act.

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Duration of planning permission

- 18 Sections 41 and 42 of this Act do not apply to planning permissions granted or deemed to have been granted before 1st April 1969.
- 19 (1) Subject to sub-paragraph (2) of this paragraph, every planning permission granted or deemed to have been granted before 1st April 1969 shall, if the development to which it relates had not been begun before the beginning of 1968, be deemed to have been granted subject to a condition that the development must be begun not later than the expiration of five -years beginning with 1st April 1969.
- (2) Sub-paragraph (1) of this paragraph does not apply—
- (a) to any planning permission which was granted or deemed to be granted before 1st April 1969 subject to an express condition that the development to which it relates should be begun, or be completed, not later than a specified date or within a specified period ; or
- (b) to any such planning permission as is mentioned in section 41(3) of this Act.
- 20 (1) Subject to sub-paragraph (2) of this paragraph, where before 1st April 1969 outline planning permission (as defined by section 42 of this Act) has been granted for development consisting in or including the carrying out of building or other operations, and the development has not been begun before the beginning of 1968, that planning permission shall be deemed to have been granted subject to conditions to the following effect—
- (a) that, in the case of any reserved matter (as defined in that section), application for approval must be made not later than the expiration of three years beginning with 1st April 1969; and
- (b) that the development to which the permission relates must be begun not later than whichever is the later of the following dates—
- (i) the expiration of five years from 1st April 1969 ; or
- (ii) 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.
- (2) Sub-paragraph (1) of this paragraph does not apply to any planning permission granted before 1st April 1969 subject to an express condition that the development to which it relates should be begun, or be completed, or that application for approval of any reserved matter should be made, not later than a specified date or within a specified period.
- 21 (1) In sections 30(3), 43(1), (5), (6) and (7), 44 and 46(6) of this Act references to section 41 and 42 of this Act shall respectively include references to paragraphs 19 and 20 of this Schedule.
- (2) 'In sections 147(3), 169(7), 180(4) and 237(5) of this Act references to the conditions referred to in sections 41 and 42 of this Act shall include references to the conditions referred to in paragraphs 19 and 20 of this Schedule.
- 22 Until the coming into operation of the first regulations to be made for the purposes of paragraph (c) of section 43(3) of this Act (or the corresponding enactment previously in force), regulations made for the purposes of section 99(2) of the Land Commission Act 1967 shall have effect as if made also for the purposes of that paragraph.