



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 4

GRANT AND IMPLEMENTATION OF PLANNING PERMISSION

111 Development commencement notices

- (1) TCPA 1990 is amended as follows.
- (2) After section 93 insert—

“Commencement of development: England

93G Commencement notices

- (1) This section applies where—
 - (a) planning permission has been granted under section 70 or 73 for the development of any land in England, and
 - (b) the development is of a prescribed description.
- (2) Before the development is begun, the person proposing to carry it out must give a notice (a “commencement notice”) to the local planning authority specifying the date on which the person expects the development to be begun.
- (3) Once a person has given a commencement notice, the person—
 - (a) may give a further commencement notice substituting a new date for the date previously given, and
 - (b) must do so if the development is not commenced on the date previously given.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 111. (See end of Document for details)

- (4) A commencement notice must—
 - (a) include such information as may be prescribed, and
 - (b) be in such form and be given in such manner as may be prescribed.
- (5) Where it appears to the local planning authority that a person has failed to comply with the requirements of subsection (2) or (3)(b), they may serve a notice on any relevant person requiring the relevant person to give the authority such of the information prescribed under subsection (4)(a) as the notice may specify.
- (6) In subsection (5) “relevant person” means—
 - (a) the person to whom the requirements of subsection (2) or (3)(b) applied, and
 - (b) any person who is the owner or occupier of the land to which the planning permission relates or who has any other interest in that land.
- (7) A person on whom a notice under subsection (5) is served is guilty of an offence if they fail to give the information required by the notice within the period of 21 days beginning with the day on which it was served.
- (8) It is a defence for a person charged with an offence under subsection (7) to prove that they had a reasonable excuse for failing to provide the information required.
- (9) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (10) When granting planning permission under section 70 or 73 for the development of any land in England, a local planning authority must by notice inform the applicant of—
 - (a) the requirements of subsections (2) and (3)(b), and
 - (b) the consequences of non-compliance with those requirements.”
- (3) In section 56 (time when development begins), in subsection (3), after “92,” insert “93G,”.
- (4) In section 69 (register of applications etc)—
 - (a) in subsection (1), after paragraph (f) (inserted by section 114(4)(a)) insert—
 “(g) commencement notices under section 93G.”;
 - (b) in subsection (2), after paragraph (c) (inserted by section 114(4)(b)) insert—
 “(d) such information as is prescribed with respect to commencement notices under section 93G that are given to the local planning authority.”

Commencement Information

- I1** S. 111 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)
- I2** S. 111 in force at 31.3.2024 for specified purposes by [S.I. 2024/389](#), [reg. 2\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 111.