
STATUTORY INSTRUMENTS

2010 No. 948

The Community Infrastructure Levy Regulations 2010

PART 2

DEFINITION OF KEY TERMS

Commencement of development

7.—(1) This regulation has effect for determining when development is to be treated as commencing for the purposes of Part 11 of PA 2008.

(2) Development is to be treated as commencing on the earliest date on which any material operation begins to be carried out on the relevant land.

(3) Paragraph (2) is subject to the following provisions of this regulation.

(4) Development is to be treated as commencing on the day planning permission is granted for that development if planning permission had previously been granted for that development for a limited period.

(5) Development for which planning permission is—

(a) granted under section 73A of TCPA (planning permission for development already carried out); or

(b) granted or modified under section 177(1) of TCPA 1990 (grant or modification of planning permission on appeals against enforcement notices),

is to be treated as commencing on the day planning permission for that development is granted or modified (as the case may be).

(6) In this regulation “material operation” has the same meaning as in section 56(4) of TCPA 1990(1) (time when development begun).

(1) Relevant amendments to section 54 were made by paragraph 10 of Schedule 6 and paragraph 10(2) of Schedule 7 to the Planning and Compensation Act 1991 and section 40(2)(a) of the Planning and Compulsory Purchase Act 2004.