

## EXTENDING PLANNING PERMISSIONS – A QUICK GUIDE

**In November 2009 the Government published guidance on extending planning permissions – here are the key points:**

- A new planning permission can be applied for to replace one that is about to lapse (but which has not yet been commenced). A new application number will be issued
- The application must be for the same development
- Outline or full permissions can be extended
- This provision applies only to permissions granted on or before 1<sup>st</sup> October 2009
- Only one extension to each permission is possible
- LA's have discretion over the length of time that the new permission can be granted, having regard to the
- Applications can be made on the Standard Application Form
- A separate fee is payable (differing by size of scheme)
- No Design and Access statement is required (unless changes are being made)
- Reserved Matters do not have to be applied for again (unless changes are proposed)
- LA's are not bound to approve permission – there may have been material changes of circumstance in policy or local circumstances since the original grant
- The same applies to Listed Building and Conservation Area Consents (no fees)
- The same or different conditions can be applied or conditions removed, as appropriate
- The same appeals procedures apply; even if the original permission expires before the determination of the application to extend it
- The EIA Regulations still apply – LA's may ask for further information on EIA schemes if there have been policy or other material changes since the original grant of permission
- S.106 and unilateral undertakings can be adjusted to link them to the new decision

Local Authorities are advised to adopt a positive and constructive attitude toward applications which "will improve the prospect of sustainable development being taken forward quickly".

**The full guidance document can downloaded at:**

<http://www.communities.gov.uk/publications/planningandbuilding/greaterflexibilityguidance?view=Standard>

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