

**PLANNING LEGISLATIVE UPDATE NOVEMBER 2009**

Lee Evans Planning is pleased to advise you of recent changes to planning legislation which will enable developers and applicants to:

- Extend the 'life' of extant permissions which are due to lapse and
- Submit 'applications' for non-material amendments to existing planning permissions without needing to resubmit a fresh (and costly) application.

EXTENSION OF PLANNING PERMISSIONS

On the 1st October amendments came into force in an attempt to improve the flexibility of the planning regime and support economic recovery. In this regard, and for a temporary¹ period, anyone with an interest in the land in which an extant planning permission exists, will be able to submit an application to extend the life of the permission without the need to submit the full extent of drawings, reports and supporting information normally required.

Until secondary legislation is changed, a full fee will be payable for such an application. Once amended,² the fee to renew an existing planning permission, listed building or Conservation Area consent will be much reduced - (£170 for minor and £500 for major developments).

ABILITY TO SUBMIT NON-MATERIAL AMENDMENTS

The ability to submit amendments to existing planning permissions never had any basis in law and with Local Planning Authorities needing to meet Government set targets, fresh new applications were encouraged. But no longer!

Should developers and applicants need to amend existing permissions; the ability now exists to submit an application for non-material amendments. These will be changes that, for example, do not affect the siting of development or will not result in the need to re-consult interested parties.

The completion of a form will still be necessary and there is no guidance (yet) advising how long the Local Planning Authority will take to determine the application, but there will be a reduced fee³.

notes:

1. No guidance is yet available in relation to the definition of 'temporary' – we will keep you informed
2. Expected in December 2009
3. Such applications will be free until the fees regulations are amended. Thereafter - £170 for a non-householder application

**Please contact Lee Evans Planning for further information regarding these legislative changes.
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